



A P P E A R A N C E S (CONT.)

Also present:

HSI Special Agent Edward Kelly  
Victoria Kirchgessner, Spanish Interpreter  
Marta Goldstein, Spanish Interpreter

Reported by:

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**PROCEEDINGS OF APRIL 9, 2013**

**THE CLERK:** All rise. The United States District Court for the District of Maryland is now in session, The Honorable William D. Quarles, Jr. presiding.

**THE COURT:** Good morning. Please be seated.

I understand the Defense has an objection to review before we resume.

**MR. RUTER:** Your Honor, yes, and there, quite frankly, Your Honor, may be other matters that have come to my attention while you were making your way to the bench with a conversation I had with Mr. Ventura. I may, after I renew the objection, ask the Court to allow us to have a brief discussion without Mr. -- Detective Hartlove being present given the comments I received from Mr. Ventura concerning, Your Honor, the kind of the trial, whether he wants to represent himself, matters such as that.

**THE COURT:** Well, we will take those matters up at lunchtime --

**MR. RUTER:** Okay.

**THE COURT:** -- so that we don't waste the jury's time while we're doing administrative things.

**MR. RUTER:** Yes, Your Honor.

Your Honor, having said that, we would like to renew our objection. Mr. Montemarano and I had an occasion to revisit, at least we thought, Your Honor, the issue of the

1 Court's admission of testimony from Detective Hartlove  
2 concerning statements which he received from Sylvia, who was  
3 the girlfriend of the deceased, Mr. Ramirez, wherein he  
4 allegedly told her that threats that he was received back in  
5 March and April of 2008 were coming from two phone numbers,  
6 both of which he's now testified are associated with the  
7 Defendant, Mr. Ventura.

8 It's our position, Your Honor, those statements are  
9 inadmissible, that there is no exception to a hearsay rule,  
10 and that they're extraordinarily prejudicial. They make the  
11 very case that we were attempting to avoid by having the  
12 Government proffer such information from a third party.

13 We understand, Judge Quarles, that, if a party comes  
14 in here, takes that witness stand, and says, "Mr. Ventura  
15 said....," or, "I heard Mr. Fuertes say....," that's a whole  
16 different matter, but, when a third party says that she heard  
17 something from somebody else, and then that somebody else is  
18 not here, and she's not here, we believe that that violates  
19 the Rules of Evidence, and we believe that it's  
20 extraordinarily prejudicial. We'd ask the Court to reconsider  
21 his motion, and we also would ask the Court to consider a  
22 motion for a mistrial, because we don't think, Your Honor,  
23 that the jury, so early on in this proceeding, the very first  
24 witness, probably in the first ten minutes of testimony,  
25 having heard the very thing which we've moved *in limine* to

1 prevent, does not allow these defendants to have a fair trial.

2 **THE COURT:** Does the Government wish to be heard?

3 **MR. CUNNINGHAM:** No, Your Honor.

4 **THE COURT:** Thank you. The objection is overruled.

5 **MR. RUTER:** Your Honor, thank you very much.

6 **MR. MONTEMARANO:** Your Honor --

7 **THE COURT:** You want to join?

8 **MR. MONTEMARANO:** I'd like to clarify. I discussed  
9 with Mr. Ruter, but I'm happy to make it. It is our  
10 understanding -- we mentioned the rule on witnesses last week,  
11 but I neglected to observe is that my understanding of Your  
12 Honor's procedure is that an objection by the Defense is for  
13 both defendants unless they specifically opt out, which will  
14 save us a fair amount of time, because I think there will be  
15 more joining than opting out.

16 **THE COURT:** I suggested that. If that's the way you  
17 want to proceed --

18 **MR. MONTEMARANO:** Absolutely. I just want to make  
19 sure that, for the record --

20 **THE COURT:** That's the ground rule that's in place.

21 **MR. MONTEMARANO:** Thank you very much.

22 **THE COURT:** Thank you. May I send for the jury?

23 **MR. RUTER:** Your Honor, Mr. Ventura has asked to  
24 address the Court. I think he should have heard that Your  
25 Honor said that you would take up any matters at lunchtime,

1 but I repeat that he's asked to speak to the Court at this  
2 time rather than wait for lunchtime.

3 **THE COURT:** Okay. What does Mr. Ventura want to  
4 say?

5 **MR. RUTER:** Your Honor, I will say this. It will be  
6 multifaceted. It will be several things --

7 **THE COURT:** You mean lengthy?

8 **MR. RUTER:** Yes, sir.

9 **THE COURT:** Then we will wait for a break. We'll do  
10 it at a break. I cannot interrupt the trial to have the  
11 parties -- that would be you, or it would be anyone from the  
12 Government as well -- make a speech. I understand you want to  
13 say something. I will give you an opportunity to say  
14 something, but I can't do that when I've got 16 people back  
15 there who have taken a great deal of time out of their  
16 personal lives to come here to give you both a fair trial. I  
17 can't waste their time. I have an oath not to waste their  
18 time, okay, but I will promise I will give you an opportunity  
19 to get whatever you want off your chest.

20 Send for the jury, please.

21 Okay. We appear to have incarcerated the jury.

22 (Laughter.)

23 (Jury enters.)

24 **THE COURT:** Please be seated.

25 Remember: They're standing because you just

1 arrived, so they can't sit down until you sit down. So come  
2 in and take your seats. Thank you very much.

3 Good morning, members of the jury.

4 **JURORS:** Good morning.

5 **THE COURT:** Thank you.

6 Madam Clerk, please remind the witness.

7 **THE CLERK:** I would like to remind you: You are  
8 still under oath, and would you restate your name again for  
9 the record.

10 **THE WITNESS:** Yes. Jeffrey Scott Hartlove.  
11 Hartlove is H-A-R-T-L-O-V-E.

12 **THE COURT:** Thank you.

13 Mr. Cunningham?

14 **MR. CUNNINGHAM:** Thank you, Judge Quarles.

15 **JEFFREY SCOTT HARTLOVE**

16 **WAS PREVIOUSLY DULY SWORN TO TELL THE TRUTH**

17 **DIRECT EXAMINATION (CONT.)**

18 **BY MR. CUNNINGHAM:**

19 Q. Detective Hartlove, when we concluded our session  
20 yesterday afternoon, we were talking about events in the time  
21 frame around September 25th of 2008, and I want to continue  
22 there. You were examining, at the time, Exhibit 2b/3, and, as  
23 you recall, this was a discussion of items that had been found  
24 in a vehicle that was impounded pursuant to an arrest of  
25 Defendant Fuertes on the 24th of September. Do you recall?

1 A. Yes.

2 Q. And this was the third exhibit showing examples of cards.

3 Now, approximately how many cards of this type did  
4 you find in the vehicle in total?

5 A. I would estimate it to be between 500 to 700 business  
6 cards.

7 Q. And so the exhibits that you previously examined, b/1 --  
8 excuse me -- that's 2b/1, 2b/2, and then 2b/3, are these  
9 simply representative samples of the cards that you saw in the  
10 car?

11 A. Yes.

12 Q. And, if you look at the two cards in 2b/3, do you see a  
13 phone number listed there?

14 A. Yes.

15 Q. And can you tell us what that number is.

16 A. Again, that's [REDACTED]-1397.

17 Q. Now, at that point in the investigation, had you  
18 identified yet the subscriber to the phone number that ends in  
19 1397?

20 A. Yes.

21 Q. And, again, what was the subscriber for that number?

22 A. Again, it came back to Amparo, and it was [REDACTED]

23 [REDACTED].

24 Q. Okay. Now, the last thing is Exhibit 2e that I want to  
25 show you from the -- something that was seized from the car.



1 Do you remember there was a little disk that -- the type  
2 that's put in a camera?

3 A. That's correct.

4 Q. And was this an image that you were able to obtain from  
5 the disk and print out?

6 A. Yes.

7 Q. And do you recognize who is depicted in this image?

8 A. The photo in the image, the male is Kerlin Fuentes, and  
9 the female appears to be the little girl with -- belonging, or  
10 the mother to Rebeca --

11 Q. And did you --

12 A. -- Dueñas.

13 Q. -- personally have any contact with that little girl at  
14 any time during late September of 2008?

15 A. Yes.

16 Q. And please tell us what the nature of that contact was.

17 A. Again, on that -- when we went back out to that address  
18 at 5:30 on the -- it would be the 26th. When Officer or  
19 Detective Carraballo and I entered the apartment, we, speaking  
20 with the gentleman, again, Mr. Portillo, noticed that he was  
21 extremely intoxicated. Again, we received consent to go  
22 through the apartment, and upstairs in the bedroom, just  
23 waking up, was the little girl in the upstairs bedroom.

24 Q. Okay. Was that the little girl that was depicted in that  
25 image?

1 A. Yes.

2 Q. And was she subsequently identified?

3 A. She was identified.

4 Q. And who was she?

5 A. Again, the mother was Rebeca. Her name was -- I think  
6 it's [REDACTED].

7 Q. That being the little girl you're referring to?

8 A. Yes.

9 Q. Okay. You recall yesterday Government Exhibit 4m was a  
10 cell phone that was seized during a search of [REDACTED]?

11 A. Yes.

12 Q. And you remember getting information, including contact  
13 information, from this phone?

14 A. Yes.

15 Q. And do you recall if the number that you just identified  
16 from one of the business cards -- the 1397 number -- was found  
17 on that phone?

18 A. One of the business cards? Yes.

19 Q. Yes. Now, we covered the automobile because it was  
20 actually taken into custody by authorities before Mr. Fuertes'  
21 arrest; is that right?

22 A. Correct.

23 Q. All right. Let's talk about his arrest by you. When was  
24 the date of that again?

25 A. The date of arrest was on the 25th of September 2008.

1 Q. And this was the occasion when you went with other  
2 officers to the vicinity of a -- sort of a Quik Mart, or  
3 something of that nature?

4 A. That's correct. Pantry One.

5 Q. And, on that occasion, did you take --

6 **MR. CUNNINGHAM:** Excuse me one moment, Your Honor.

7 Q. Detective Hartlove, in addition to the items that we  
8 identified from the Nissan Altima, do you recognize  
9 Exhibit 2c?

10 A. Yes.

11 Q. And what are they?

12 A. Again, they were keys that were taken from Fuertes.

13 Q. These were from him, or from the car?

14 A. I'm sorry. From the car.

15 Q. And these were located somewhere within the car when you  
16 did your inventory?

17 A. Yes.

18 Q. And, likewise, do you recognize Government Exhibit 2d?

19 A. Yes.

20 Q. And would you tell the jury, please, what this is.

21 A. Again, they were condoms -- Crown condoms that were taken  
22 from the vehicle.

23 Q. Now, are you able to see the particular brand of these  
24 condoms?

25 A. Yes.

1 Q. What are they?

2 A. Again, they're Crown -- Crown condoms that make --

3 Q. In the course of your investigation, did you learn  
4 anything particularly significant about Crown condoms?

5 A. Yes. In the -- in the Hispanic brothels, we've  
6 discovered that, again, that that's how they're purchased, in  
7 large quantities, 144. They usually package them in a  
8 freezer-type bag, and that's how they're sold, in bulk, and  
9 they're cheaper that way.

10 Q. Are you aware of whether these brand of condoms are  
11 easily obtained in retail establishments?

12 A. No.

13 Q. Now, with regard to when you arrested Mr. Fuertes on the  
14 25th of September, did you search his person at that time?

15 A. Yes.

16 Q. And did you seize anything?

17 A. Yes. We seized a phone amongst one thing, and there were  
18 several other items. I don't remember right now.

19 Q. All right. I'm showing you now Exhibit 3b. Do you  
20 recognize this?

21 A. That's correct.

22 Q. And please identify what that is.

23 A. It's a phone that was taken from Mr. Fuertes on that  
24 date.

25 Q. Were you able to identify a phone number associated with

1 this particular phone?

2 A. Yes.

3 Q. And what was the number?

4 A. ■ -- I'm sorry. ■-5015.

5 Q. And we've heard the 5015 number a couple of times already  
6 as being significant to your investigation?

7 A. Yes.

8 Q. This is Government Exhibit 3a. Can you tell the jury --  
9 it's a little hard because it's in two layers of plastic here,  
10 but can you tell the jury, please, what that is.

11 A. This was the passport from, again, Kerlin Fuentes that  
12 was taken from him on that day.

13 Q. Now, are you able to see and read for the jury, please:  
14 What is the name -- actually, let me hand this to you,  
15 because, through the plastic, it's kind of hard to read.

16 A. Again, I apologize for the pronunciation. I believe  
17 it's, again, first name Kerlin, has a middle name of  
18 E-S-A-U -- I'll spell it. The last name is E-S-Q-U-I-V-E-L,  
19 and then Fuentes, and it's got his picture there next to it  
20 along with a signature of his first name.

21 Q. And the signature on this passport is essentially what  
22 appears to be just a first name; is that right?

23 A. Correct.

24 Q. Was Mr. Fuentes with anyone when you took him into  
25 custody on September 25th?

1 A. He was with a -- another subject named Carlos Guzman  
2 Herrera.

3 Q. And was he someone who you had previously had any contact  
4 with or was identified in your investigation?

5 **MR. MONTEMARANO:** Objection. Relevance.

6 **THE COURT:** Overruled.

7 **THE WITNESS:** No.

8 **BY MR. CUNNINGHAM:**

9 Q. Did you seize anything from Mr. Guzman on September 25th?

10 A. Yes. We seized his phone and business cards --  
11 prostitution business cards.

12 Q. I'm going to show you Government Exhibit 3d, and is this  
13 the phone that you seized from Mr. Guzman?

14 A. Yes. Yes.

15 Q. Were you able, if you recall, to recover from that a cell  
16 phone number?

17 A. Yes.

18 Q. And what was the cell phone number on that card?

19 A. It was [REDACTED]-4744.

20 Q. Now, was that a number that you then essentially sort of  
21 kept track of or would periodically in your investigation  
22 check to see if there was any connectivity to other numbers?

23 A. Yes.

24 Q. And I'm going to show you now Government Exhibit 3e. You  
25 said you retrieved business cards from the individuals?

1 A. Yes.

2 Q. Excuse me. All right. Actually, let me put up this.  
3 Were they a representative -- you see 3e?

4 A. Yes.

5 Q. And were these business cards that were on the Defendant,  
6 Fuertes, or on Mr. Guzman?

7 A. This was on Carlos Guzman.

8 Q. Are these some of the same kind of business cards that  
9 you found when you later looked at the vehicle that  
10 Defendant Fuertes was operating on the 24th when he was  
11 arrested?

12 A. Yes.

13 Q. Now, did you, upon taking Mr. Fuertes into custody, get  
14 identity information from him?

15 A. That day? Yes.

16 Q. Yes. I'm going to show you Government Exhibit 3g. Do  
17 you recognize this form?

18 A. That is a booking form that we use at the Annapolis  
19 Police Department at that time, yes.

20 Q. And was there anything about the identity information  
21 that is recorded on this form that was different than any  
22 other identity information recorded in other forms relating to  
23 Defendant Fuertes within the Annapolis Police Department?

24 A. Yes. We discovered, again, he would change his name as  
25 well as his date of birth at times.

1 Q. Have you compared the different booking forms --

2 MR. MONTEMARANO: Objection, Your Honor. May we be  
3 heard at the bench?

4 THE COURT: Yes. Come up.

5 (Whereupon, the following discussion occurred at the  
6 bench.)

7 MR. MONTEMARANO: I apologize, Your Honor, for the  
8 delay in my objection. I should have made it before he  
9 answered. There is no basis for knowledge as to how this  
10 information was obtained, if it indeed was obtained from  
11 Mr. Fuertes. He can testify that the forms have different  
12 dates. That's fine. They're business records, and that's the  
13 reason I was holding off on the objection.

14 He testified, however, he changed. He's, in  
15 essence, putting it in my client's lap, and there is no basis  
16 for that, and, indeed, Your Honor has excluded his  
17 testimony -- I mean, his statements, so I think we've got two  
18 problems in terms of that, and I think the Government needs to  
19 clean it up, or the Court needs to strike it and instruct the  
20 jury to ignore that.

21 MR. CUNNINGHAM: Yes, Your Honor. It invites one  
22 question in terms of -- I suppose clarification to the ruling  
23 regarding Fuertes' statements. To the extent that typically  
24 booking information and information gathered in that context  
25 is, one, non-custodial and precedes --



1           **THE COURT:** Right. Doesn't require warnings.

2           **MR. CUNNINGHAM:** Doesn't require warnings. I -- we  
3 don't regard it, per se, as a statement that fell under the  
4 umbrella, but, second, since it came up now, we were going to  
5 address it with the witness who actually arrested Mr. Fuertes  
6 on the 24th when he was called, but we were going to ask for  
7 some clarification of the ruling, because we had understood  
8 that, in particular, when Detective Hartlove testified about  
9 the 10 January -- excuse me -- 10 December 2008 encounter that  
10 he had with Mr. Fuertes, and they went back to the police  
11 station, our recollection was that it had been elicited that,  
12 one, it was voluntary, he went there voluntarily, and that the  
13 liaison who was actually there that communicated the rights of  
14 advisement, so -- excuse me.

15           **MS. YASSER:** Sergeant Kirchner.

16           **MR. CUNNINGHAM:** Oh, and it --

17           **THE REPORTER:** If you would move closer to the mic.

18           **MR. CUNNINGHAM:** Sorry. Yeah. It was  
19 Sergeant Kirchner, who is another officer in the police  
20 department who speaks Spanish who actually engaged in the  
21 translation of the advisement, but, anyway, to come back to  
22 the immediate matter, Your Honor --

23           **THE COURT:** Well, I think Mr. Montemarano is correct  
24 just generally as a matter of form. He cannot present the  
25 conclusion that he changed his name.

1 Now, you can obviously lay a foundation of what's  
2 the source for the information. The source is the person who  
3 is arrested and booked. Are there differing names given on  
4 each of the different ones, yes, but, again, he can't draw the  
5 conclusion that Mr. Fuertes used different --

6 **MR. CUNNINGHAM:** I understand, Your Honor.

7 **THE COURT:** Different names on it, and I will grant  
8 your motion and grant your -- it's the same objection. Grant  
9 your Motion to Strike, and I will instruct the jury to  
10 ignore --

11 **MR. MONTEMARANO:** Thank you, Your Honor.

12 **THE COURT:** -- that conclusion. Okay.

13 (Whereupon, the bench conference was concluded.)

14 **THE COURT:** Sustained, Mr. Montemarano.

15 Members of the jury, you will ignore -- disregard  
16 Detective Hartlove's statement, his assumption actually, that  
17 Defendant Fuertes gave different names or used different names  
18 or chose to use different names.

19 **MR. MONTEMARANO:** Or birth dates.

20 **THE COURT:** Or -- and birth dates.

21 **MR. MONTEMARANO:** Thank you, Your Honor.

22 **THE COURT:** Yes.

23 **BY MR. CUNNINGHAM:**

24 Q. Detective Hartlove, you just examined the booking sheet  
25 that is related to your arrest of Defendant Fuertes. This is

1 Government Exhibit 3g. In terms of the information that is  
2 placed on a booking sheet by Annapolis Police Department,  
3 where do you or other officers obtain the information recorded  
4 on a booking sheet?

5 A. From the individual.

6 Q. These records are maintained by the Annapolis Police  
7 Department?

8 A. Yes.

9 Q. And did you review records relating to when  
10 Officer Cochran had arrested Defendant Fuertes on  
11 September 24th?

12 A. Yes.

13 Q. And was there a similar booking sheet that had been  
14 prepared by Officer Cochran regarding that arrest?

15 A. Yes.

16 Q. Did you find a booking sheet relating to an incident on  
17 September 23rd?

18 A. Yes.

19 Q. And, in the records, did that relate to another traffic  
20 stop of Defendant Fuertes?

21 A. Yes.

22 Q. Was there the same kind of booking information relating  
23 to identity, including dates of birth, that kind of thing --

24 A. Yes.

25 Q. -- on that document?

1 A. Yes.

2 Q. And was that pursuant to some law enforcement activity by  
3 an Officer Wang in your department?

4 A. Yes.

5 Q. And did you also find a similar booking sheet relating to  
6 a traffic-related incident from February of 2008?

7 A. Yes.

8 Q. And was that a citation or relating to a citation issued  
9 to Defendant Fuertes on that occasion?

10 A. Yes.

11 Q. And did that include the same kind of booking  
12 information -- name, date of birth -- that we just saw on  
13 Exhibit 3g?

14 A. Yes.

15 Q. Excuse me. 3 -- yes. 3g.

16 And did you have an opportunity to compare the  
17 information on those four different booking sheets?

18 A. Yes.

19 Q. And was it all the same?

20 A. Some of it was the same. Some of it was different.

21 Q. Now, do you recall the next occasion that you had contact  
22 with Defendant Fuertes?

23 A. Yes.

24 Q. And what was the date of that?

25 A. December 10th.

1 Q. On that occasion, did you have an opportunity to search  
2 Defendant Fuertes?

3 A. I asked if I -- I asked him if I could go through his  
4 wallet at that point.

5 Q. And, by the way, where did this particular encounter take  
6 place?

7 A. Again, I encountered him about a mile or so away from the  
8 police station at a building -- a public building, and asked  
9 him to come to the police station after he was done his  
10 business.

11 Q. And did he come to the police station?

12 A. Yes.

13 Q. Do you know how he got there?

14 A. No.

15 Q. Were you speaking to him with the assistance of someone  
16 fluent in Spanish?

17 A. Yes.

18 Q. Who was that?

19 A. Detective Sergeant Hertik, or she also -- married name by  
20 Kirchner.

21 Q. And she's also a member of the Annapolis Police  
22 Department?

23 A. Yes.

24 Q. And you mentioned that you asked permission to look  
25 through some of his personal effects; is that right?

1 A. That's correct.

2 Q. And did you, in fact, look through his personal effects?

3 A. Yes.

4 Q. Specifically what did you examine?

5 A. What I saw in his wallet and what I confiscated from his  
6 wallet were, again, prostitution cards, as well as a  
7 fraudulent Social Security card.

8 **MR. MONTEMARANO:** Objection. Basis for knowledge.

9 **THE COURT:** Sustained. The jury will disregard the  
10 conclusion of the officer that he seized a fraudulent Social  
11 Security card from the Defendant.

12 **BY MR. CUNNINGHAM:**

13 Q. Detective Hartlove, let me start with Government  
14 Exhibit 5a. Do you recognize this particular exhibit?

15 A. Yes.

16 Q. And do you see that, on the -- what appears to be a card  
17 on the right side, can you see the phone number that's  
18 identified on that card?

19 A. Yes.

20 Q. And it ends in 8938. Do you recall having identified  
21 that number and associated it with a cell phone that had  
22 previously been recovered during this investigation?

23 A. Yes. That was the cell phone recovered at [REDACTED]

24 [REDACTED] back on the 26th of September.

25 Q. And the other business card has the 5015 number. Can you

1 tell the jury, again, the significance of that number in your  
2 investigation.

3 A. Again, that was the phone that was on his person when he  
4 was placed under arrest on the 25th of September, as well as  
5 it came up in the investigation of the homicide.

6 Q. Now, you mentioned a Social Security card. I'm going to  
7 put up on the screen what's marked as Government Exhibit 5b.  
8 Is this the card that was in Mr. Fuertes' wallet during your  
9 December 10, 2008 encounter?

10 A. Yes.

11 Q. Did you in any way endeavor to find any information out  
12 about this card -- the number or the name that's on the card?

13 A. No, I did not.

14 Q. Do you know if Mr. Fuertes had ever used, in any context,  
15 the name Carlos Eduardo Ramirez?

16 **MR. MONTEMARANO:** Objection. Basis for knowledge.

17 **THE COURT:** Well, you will get cross-examination.

18 He either knows, or he doesn't. Overruled.

19 **BY MR. CUNNINGHAM:**

20 Q. Do you know?

21 A. I don't know.

22 Q. Okay. Detective Hartlove, what was the next time that  
23 you had some contact with Defendant Fuertes?

24 A. The next time was March 23rd, 2009, approximately 10 --  
25 8:30 in the evening.

1 Q. And what were the circumstances that led to that contact?

2 A. Again, Detective Carraballo was talking to me and  
3 indicated to me that --

4 Q. Let's not go into necessarily what Detective Carraballo  
5 told you, but what prompted you to go to the particular  
6 location?

7 A. Again, Kerlin Fuentes had an outstanding warrant for his  
8 arrest.

9 Q. Okay. Did you have some reason to think you might find  
10 him at the location --

11 A. Yes.

12 Q. -- when you went?

13 And what was the location?

14 A. It was [REDACTED].

15 Q. We've heard that address before in the context of this  
16 investigation, is that right, or have we?

17 A. Let me see if it's on the business --

18 Q. Actually, I think we -- was this the first occasion that  
19 you had gone to [REDACTED]?

20 A. This was the first occasion.

21 Q. Okay. It subsequently came up during the  
22 investigation --

23 A. Yes.

24 Q. -- in a follow-up search, right?

25 A. That's correct.



1 Q. Now, did you find Defendant Fuentes at that location?

2 A. Yes.

3 Q. Tell us, please, how essentially you made contact with  
4 him on the 25th of March 2009.

5 A. We went there and knocked on the door -- several knocks  
6 on the door. It was probably two or three minutes later.  
7 Mr. Fuentes -- Kerlin Fuentes opened up the door. We were  
8 both in uniform, and we then went inside and placed him under  
9 arrest. The house was dark. We called for backup officers,  
10 and we did a search of the home. That's --

11 Q. All right. Let's -- well, first of all, in terms of  
12 sequence, did you have contact with Defendant Fuentes shortly  
13 after you entered the location?

14 A. Yes.

15 Q. And did you place him under arrest?

16 A. Yes.

17 Q. Did you search him at the time?

18 A. Yes.

19 Q. Did you recover anything from him during that search?

20 A. Yes.

21 Q. Okay. What was that?

22 A. Again, it was a Blackberry phone. It was other items of  
23 prostitution. It was cards.

24 Q. Now --

25 A. Playing cards.

1 Q. -- let me show you first what's marked Government  
2 Exhibit 6a. I'll put it on here, and this is actually sealed  
3 in an exhibit folder at this point in time. Can you see this  
4 exhibit --

5 A. Yes.

6 Q. -- Detective Hartlove?

7 A. Yes.

8 Q. And please describe for the jury what we're looking at  
9 here.

10 A. Again, this is his wallet and, again, his picture in it  
11 along with a piece of paper with Spanish writing and a phone  
12 number, which indicates [REDACTED]-0903.

13 Q. And, the 0903 number, did that have any significance to  
14 you?

15 A. Yes.

16 Q. And what was that?

17 A. Again, having that phone number back from [REDACTED],  
18 going through Rebeca Dueñas Franco's phone address or phone  
19 book, again, that's the name associated to Pancho that we  
20 heard was involved with the murder.

21 Q. And was that 0903 number also in the cell phone that was  
22 seized at [REDACTED], the one that ended in 8938?

23 A. Let me -- yes.

24 Q. You mentioned that the photo in the center was -- is that  
25 how Mr. Fuertes looked when you arrested him in March of 2009?

1 A. Yes.

2 Q. Do you recall if he had any cash on him at the time?

3 A. He did have cash that was confiscated as well, yes.

4 Q. Approximately how much money?

5 A. \$696 on his person.

6 Q. I show you Government Exhibit 6b. Can you tell the jury  
7 what these are, please.

8 A. These were the playing cards that were on him. They  
9 were -- essentially, when you go in --

10 MR. MONTEMARANO: Objection.

11 MR. CUNNINGHAM: Let me ask --

12 THE COURT: Sustained.

13 BY MR. CUNNINGHAM:

14 Q. Detective Hartlove, in your investigation, did you learn  
15 how playing cards may be used in the operation of brothels in  
16 the Hispanic community?

17 MR. MONTEMARANO: Objection.

18 THE COURT: Overruled.

19 THE WITNESS: Yes.

20 BY MR. CUNNINGHAM:

21 Q. And how are they used by some brothels?

22 A. Again, it's --

23 MR. MONTEMARANO: Objection. Relevance.

24 THE COURT: Overruled.

25 THE WITNESS: Again, it's -- playing cards -- they

1 also use chips, but basically, when a male goes into the  
2 brothel, he pays his money. The money is \$30 for 15 minutes.  
3 He then is given a card, a chip, a little piece of paper.  
4 That chip, that card, that playing card gets turned over to  
5 the girl, and that's how the girl, again, knows how many  
6 persons she's been with, and then that's how she gets paid.

7 **BY MR. CUNNINGHAM:**

8 Q. Now, you mentioned that you also seized some cell phones.  
9 Was Mr. Fuertes alone at [REDACTED] on March 25th of 2009  
10 when you went there to arrest him?

11 A. No. He --

12 Q. Did you discover anybody else in the location?

13 A. Yeah. Again, the apartment was very dark. I used my  
14 flashlight searching the back right bedroom. I located two  
15 females huddled together with a candle burning over top their  
16 head on the shelf.

17 Q. And where in the room did you locate them?

18 A. They were just in a closet area. The closet didn't have  
19 a door or anything on it. The closet was open. They were  
20 just standing inside the closet huddled together.

21 Q. And, Detective Hartlove, did you or one of your  
22 colleagues take any photographs as you were going through the  
23 [REDACTED] on that occasion?

24 A. Yes, I did.

25 Q. Okay. We'll come back to the photographs in a second.

1 I'm going to show you Government Exhibit 6d/1. Can you see  
2 this well enough to recognize this cell phone?

3 A. Yes.

4 Q. And tell the jury, please, where this cell phone came  
5 from.

6 A. It's the Sprint Blackberry that was recovered from Kerlin  
7 Fuentes.

8 Q. And were you able to recover from this phone a number  
9 assigned to it?

10 A. Yes.

11 Q. And what was the number?

12 A. Let me look at my notes here.

13 (Witness reviewing exhibit.)

14 A. [REDACTED]-1672.

15 Q. Detective Hartlove, you've indicated there, you know,  
16 looking at your notes. Is it safe to say, during the course  
17 of this investigation, you've seized many, many cell phones?

18 A. Many cell phones, yes.

19 Q. And, in terms of being able to associate a particular  
20 cell phone with a particular number, do you have them all  
21 committed to your memory?

22 A. No.

23 Q. Okay. Now, I want to show you Government Exhibits 6d/2  
24 and 6d/3. These are actually two more cell phones sealed in  
25 one exhibit folder here. Where did these particular cell

1 phones come from?

2 A. These phones were from the females that were in the  
3 apartment.

4 Q. One of whom was Rebeca Dueñas that you previously  
5 identified?

6 A. Yes.

7 Q. Do you remember the identity of the other female in the  
8 location?

9 A. Yes. Jeseфа Reyes Rojas.

10 Q. Were you able to pull telephone numbers from these two  
11 cell phones?

12 A. Yes.

13 Q. And what were the numbers assigned to those two cell  
14 phones?

15 A. Again, I have Jeseфа Reyes or Rojas as [REDACTED]-7742. I  
16 have Rebeca Dueñas Franco as [REDACTED]-1397.

17 Q. With regard to that second number, the one that ended in  
18 1397, had you seen that number anywhere prior in the  
19 investigation?

20 (Pause.)

21 Q. Well, let me -- if you can't remember, let me ask you  
22 this, Detective Hartlove: When you got those numbers, did you  
23 essentially include them in the universe of numbers that you  
24 would be looking for or trying to find associations with as  
25 your investigation moved forward?

1 A. Yes.

2 Q. Now, you mentioned that you actually took photographs  
3 while at that location on March 25th; is that right?

4 A. Yes.

5 Q. Okay. I want to go through some exhibits now and ask you  
6 to please describe for the jury what we see. This is  
7 Government Exhibit 6c/1. It's pretty dark, but can you  
8 describe for the jury what's in this image.

9 A. Yes. The building there is [REDACTED]. It's  
10 a four -- four apartments are in there. You go to the right,  
11 and that's how you entered into it. The bottom apartments are  
12 on -- 1 is on the left, 2, and then the upstairs apartment.

13 Q. And do you remember approximately what time it was that  
14 you went to execute the arrest of Mr. Fuertes on the 25th of  
15 September?

16 A. It was at approximately 8:30 p.m.

17 Q. Okay. I'm actually going to show you another exhibit at  
18 this point in time, Government Exhibit 10a/1. Is this a  
19 daytime shot of essentially the same building?

20 A. Yes.

21 Q. If you go back to Exhibit 6c/1, is that essentially how  
22 it looked when you and the other officers went the night of  
23 September 25th?

24 A. Yes.

25 Q. From the outside, were you able to see into the

1 residence?

2 A. No.

3 Q. And, if you recall, what level was the apartment on or  
4 the unit on that you went to try to find Defendant Fuertes?

5 A. Again, it was Apartment 1 on the left-hand side as you  
6 enter in.

7 Q. So that would -- was it at ground level?

8 A. Ground level, yes.

9 Q. All right. Let me take you through a number of other  
10 images. This is Government Exhibit 6c/2. So I want you to  
11 just tell the jury, please: What are you documenting in these  
12 images?

13 A. Again, the Apartment 1, just taking a picture of the  
14 outside the doorway. That's a doorway we're knocking on to go  
15 into Apartment 1. The -- entered to the -- if you look to the  
16 left where the sticker is, that's basically how you get into  
17 the building.

18 Q. And, to be clear, these were the pictures taken the night  
19 you executed this arrest of Defendant Fuertes?

20 A. Yes.

21 Q. Government Exhibit 6c/3?

22 A. This is the back right bedroom. Again, that's how it was  
23 when we entered.

24 Q. Between the time that you knocked and the time you were  
25 able to enter, can you estimate how long it was?



1 A. I would estimate about, you know, three, four minutes.

2 Q. In terms of this room, did you seize anything from this  
3 room other than the items that you indicated had been taken  
4 from Defendant Fuertes when he was arrested?

5 A. I think, again, the cell phone, we seized; took photos of  
6 what was on the table. The playing cards -- some more playing  
7 cards maybe inside the desk.

8 Q. But, on this occasion, you actually didn't undertake a  
9 widespread seizure of --

10 MR. MONTEMARANO: Objection, Your Honor. Leading.

11 THE COURT: Sustained.

12 BY MR. CUNNINGHAM:

13 Q. Well, let me move on with the images, and I'll ask you in  
14 that context.

15 MR. MONTEMARANO: Your Honor --

16 Q. Do you see Government Exhibit 6c/4?

17 MR. MONTEMARANO: The Court's indulgence so I can  
18 consult briefly with Mr. Cunningham?

19 THE COURT: Yes.

20 MR. MONTEMARANO: Thank you.

21 (Counsel conferring.)

22 MR. MONTEMARANO: Thank you, Your Honor.

23 THE COURT: Okay.

24 BY MR. CUNNINGHAM:

25 Q. To continue, Government Exhibit 6c/4, would you describe

1 for the jury, please, what is depicted in this photograph?

2 A. This is the picture of the closet where the two females  
3 were huddled together with the candle burning over top their  
4 head.

5 Q. Now, prior to taking any of these pictures, did you move  
6 anything, either place something on a desk, or move something  
7 out of a closet, anything like that?

8 A. No.

9 Q. Did you take anything off the walls?

10 A. No.

11 Q. Did you put anything up over the windows?

12 A. No.

13 Q. Do you see, on the right side of this picture, what  
14 appears to be some sort of a dark object?

15 A. Yes.

16 Q. Can you tell the jury -- elaborate on what exactly that  
17 is and where it's located.

18 A. That object is covering up the window -- the front window  
19 to that bedroom on the right.

20 Q. As you look at it, are you able to recall what that  
21 object was?

22 A. I don't know if it was plastic or some type of cotton  
23 sheet or something, but it -- it was -- appears to be plastic,  
24 and it was just covering the window -- lower portion of the  
25 window.

1 Q. And, the table, or this little desk that's in the lower  
2 right corner, was that in proximity to the mattress we saw on  
3 the previous picture?

4 A. Yes.

5 Q. Government Exhibit 6c/5, is this a close-up of that  
6 table?

7 A. Yes.

8 Q. And what's captured in this particular image?

9 A. Documenting everything on the table -- rubbing alcohol,  
10 paper towels, condoms, wipes, water bottles.

11 Q. You see the phone that's on that table. Is that one of  
12 the phones that you seized?

13 A. Yes.

14 Q. And that has been previously admitted as a Government  
15 exhibit?

16 A. Yes.

17 Q. Okay. Just actually to take a moment, you mentioned  
18 towels and wipes. In the course of your investigation, did  
19 you go into a number of brothels or areas that were being used  
20 as brothels?

21 A. Yes.

22 Q. And would you commonly find things that --

23 **MR. MONTEMARANO:** Objection. Leading.

24 Q. What kind of things would you commonly find when you  
25 would go into those locations?

1 A. We would find paper towels, rubbing alcohol, condoms,  
2 spray bottles, the chips, cards, playing cards.

3 Q. Okay. Let me show you Government Exhibit 6c/6. What's  
4 this picture of?

5 A. This is the bedroom on the left, the two-bedroom  
6 apartment. This would -- this is the bedroom on the left.

7 Q. In addition to the mattress, do you recall if there was  
8 any other furniture in that room?

9 A. Again, if you look to the right, there is a table that  
10 was also in the room.

11 Q. 6c/7, is this another photograph in that same room?

12 A. Yes. It's depicting that the windows are covered up with  
13 blankets and sheets and --

14 Q. Did you determine that, in fact, there were windows  
15 behind what appears to be a sheet and whatever that other  
16 object is?

17 A. Yes. They were windows.

18 Q. Do you recall whether there were any lights in this room?

19 A. We were using our flashlights. There was no lights.

20 Q. Government Exhibit 6c/8, would you tell the jury what  
21 this photograph is.

22 A. Again, this is a -- the table that's in the same room,  
23 depicting what's on the table -- the paper towels, water  
24 bottle, wipes.

25 Q. 6c/9, is this the same table you just described?

1 A. Yes, and showing the closet.

2 Q. And the closet's in the background there?

3 A. Yes.

4 Q. What is Exhibit 6c/10?

5 A. Again, this is that same closet, and inside there is a  
6 suitcase, a very minimum -- no items hanging up other than,  
7 looks like, towels, maybe a shirt, but --

8 Q. This is Government Exhibit 6c/11. Is this also a  
9 photograph from within [REDACTED] on March 25th of 2009?

10 A. Yes. The doorway is to the left of that chair, and  
11 that's the living area as you enter.

12 Q. Do you recall if there were any -- now, in addition to  
13 the chair in this picture, do you recall if there were any  
14 other pieces of furniture other than that -- what appears to  
15 be a table on which some televisions are sitting?

16 A. On that back side where -- taking the photograph, there  
17 was a couch.

18 Q. This is Government Exhibit 6c/12. What's this  
19 photograph?

20 A. Again, these are items that were removed off of  
21 Kerlin Fuentes. Other than the Motorola phone, it's the  
22 money, tops papers. Again, he had the Blackberry, and the  
23 card, and these are some of the items from his wallet over  
24 here to the left, as well as to the right.

25 Q. Did you put these items back in his wallet as we examined

1       them in the earlier exhibit?

2       A.     Yes.

3       Q.     Now, Government Exhibit 6c/13, would you tell the jury,  
4       please, what this is a picture of.

5       A.     Again, that's the couch. The doorway is off to the  
6       right. You see the officer in the background. He is coming  
7       from a little kitchen area.

8       Q.     You mentioned that there were two women. Do you remember  
9       the identity of the woman who is in this picture?

10      A.     That's Jeseфа -- Jeseфа Reyes Rojas.

11      Q.     And, Government Exhibit 6c/14, is this a close-up of the  
12      same woman?

13      A.     Yes.

14                   **MR. CUNNINGHAM:** Excuse me one second.

15      Q.     This is Government Exhibit 6c/15. Do you recognize the  
16      person in this picture?

17      A.     Yes.

18      Q.     Who is that?

19      A.     Rebeca Dueñas Franco.

20      Q.     And was this taken that same night you went to [REDACTED]  
21      [REDACTED] to arrest Mr. Fuertes?

22      A.     Yes.

23      Q.     Government Exhibit 6c/16, would you tell the jury,  
24      please, who that is.

25      A.     That's a photo of Kerlin Fuentes -- booking photo.

1 Q. And when was that taken?

2 A. That night.

3 Q. Detective Hartlove, I'm going to show you what's marked  
4 as Government Exhibit 6f. Can you tell the jury, please, what  
5 that exhibit is.

6 A. Again, this is a property inventory form that money was  
7 seized from Kerlin Fuentes. Well, again, booked himself in as  
8 Kevin Garcia Fuentes, and it was the amount --

9 **MR. MONTEMARANO:** Objection. Move to strike.

10 **THE COURT:** Overruled.

11 **THE WITNESS:** It was for the amount of \$696.

12 **BY MR. CUNNINGHAM:**

13 Q. And what happened to that money?

14 A. It's placed --

15 Q. What did you do with that money?

16 A. It's placed into evidence.

17 Q. Do you still have that money?

18 A. It's in evidence.

19 Q. Detective Hartlove, earlier you spoke about the booking  
20 forms in the Annapolis Police Department when an individual is  
21 taken into custody. I'm going to show you now what's marked  
22 as Government Exhibit 1h. Do you see this document?

23 A. Yes.

24 Q. And, looking at it, can you identify when this document  
25 was prepared?

1 A. Yes. It was prepared on 9/23/2008.

2 Q. Earlier, you referenced that there had been a traffic  
3 citation by Officer Wang. Is this related to that particular  
4 booking?

5 A. Yes.

6 Q. And Government Exhibit 1i -- actually, here is the  
7 exhibit label -- can you tell the jury, please, what this  
8 particular document relates to.

9 A. Yes. Same booking form that we were using back at that  
10 time. It was February 20th, 2008. He was arrested at 1:31  
11 hours, and it's a -- for driving without a license by  
12 Officer Schreiber.

13 Q. And is Officer Schreiber also a member of the Annapolis  
14 Police Department?

15 A. Yes.

16 Q. Now, when you arrested Mr. Fuertes in March, at that  
17 time, had you been associating actively in your investigation  
18 with agents or members of the Department of Homeland Security?

19 A. Yes.

20 Q. Were you aware of what Mr. Fuertes' status was -- his  
21 Immigration status?

22 A. Again, I -- yes.

23 Q. And did you or do you know if any action was taken  
24 regarding his Immigration status at that time?

25 A. Yes.



1 Q. And what was that?

2 A. Again, there was a -- I guess a deportation hearing set  
3 up for him.

4 Q. Did you personally have anything to do with that,  
5 Detective Hartlove?

6 A. For the hearing itself?

7 Q. Yeah. Well, for the entire Immigration proceeding. Did  
8 you personally have anything to do with it?

9 A. No.

10 Q. From that point forward until November 15th of 2010, did  
11 you have any subsequent encounters in Maryland with  
12 Defendant Fuertes?

13 A. No.

14 Q. Now, before moving forward to sort of the next event that  
15 you were involved in, did there come a point in time that you  
16 learned some information about the activities of  
17 Defendant Ventura in the May, June, July 2009 time frame?

18 A. Yeah. I -- in the 2009?

19 Q. No. My question was: At some point during the course of  
20 your investigation, did you learn about activities of  
21 Defendant Ventura during the May through August 2009 time  
22 frame?

23 A. No.

24 Q. Do you remember ever speaking to Rebeca Dueñas after the  
25 investigation was essentially taken down in November of 2010?

1 A. I'm sorry. Can you repeat your question?

2 Q. Do you recall having spoken to or interviewed  
3 Rebeca Dueñas after this investigation was essentially taken  
4 down in November of 2010?

5 A. Yes.

6 Q. And did she give you any information that -- well, did  
7 she give you any information as to her whereabouts or what she  
8 was doing in the May through summer of 2009 time frame?

9 MR. RUTER: Objection.

10 THE WITNESS: Yes.

11 THE COURT: Basis?

12 MR. RUTER: It's going to be hearsay.

13 THE COURT: Overruled.

14 THE WITNESS: Yes.

15 BY MR. CUNNINGHAM:

16 Q. Did you later -- at some point later in time go to any  
17 locations that she identified with regard to what was going on  
18 or where she was during that time frame?

19 A. Yes.

20 Q. Okay. To be clear, in the May, June, July, August 2009  
21 time frame, did you have any contact during that time frame  
22 with Defendant Ventura?

23 A. No.

24 Q. Did you have any contact during that time frame with  
25 Defendant Fuertes?

1 A. No.

2 Q. I addressed -- I mentioned the fact that there was a  
3 point when you went to locations other than Annapolis,  
4 Maryland and took photographs; is that right?

5 A. That's correct.

6 Q. All right. I'm going to show you now what are marked  
7 Government Exhibits 7a through 7 -- 7a/1 through 7a/11, and I  
8 just want you to tell the jury what these images are. This is  
9 Government Exhibit 7a/1. Did you take this photograph,  
10 Detective Hartlove?

11 A. Yes.

12 Q. And what is this an image of?

13 A. This image is the roadway to [REDACTED], I guess  
14 in the area of [REDACTED] up near -- if you go to  
15 the right, it's Patapsco Avenue. It's a picture of that  
16 roadway.

17 Q. And where is this particular location in reference to  
18 Baltimore or Annapolis?

19 A. This is Baltimore County.

20 Q. Okay. Is it in closer proximity to Baltimore, or  
21 Annapolis?

22 A. I'm sorry. Baltimore.

23 Q. Approximately how far from Baltimore City is this  
24 location?

25 A. If you keep on this road, I imagine you could be down on

1 Washington Boulevard, and it would probably be another four --  
2 four or five miles at the most.

3 Q. Is this the south side of Baltimore City?

4 A. Yes.

5 Q. Okay.

6 A. Baltimore -- it's still Baltimore County, but it's south  
7 side of Baltimore, yeah.

8 Q. Okay. And, Government Exhibit 7a/2, please describe for  
9 the jury what this is.

10 A. This is a picture -- the house that's showing there is  
11 [REDACTED].

12 Q. And obviously this location had become significant at  
13 some point in time later in your investigation?

14 A. Yes.

15 Q. All right. 7a/3?

16 A. Again, the same picture, a little bit closer up.  
17 Unfortunately, the van and that -- whatever it is, is blocking  
18 the doorway, but it shows the front of the house of [REDACTED]  
19 [REDACTED].

20 Q. Do you recall if there were other residences or  
21 businesses in close proximity to this location?

22 A. Yeah. There is -- again, that one picture showed to the  
23 right. It's some type of repair shop. Also to the right of  
24 this is a L A Mart, or a big supermarket.

25 Q. Let me go back to Government Exhibit 7a/2. Do you see in

1 this picture any other residences or dwellings?

2 A. I don't see any dwellings. There is a business off to  
3 the right, and, again --

4 Q. Okay. This is Government Exhibit 7a/4. What's this  
5 image?

6 A. This is entering that front doorway. The front doorway  
7 is actually the door off to the left, and it's kind of like  
8 a -- well, it's like a front porch area, and this doorway here  
9 goes over to another apartment, so that's what that's  
10 depicting. And, to the right, where actually you can see  
11 somebody's elbow, that's another doorway that leads into the  
12 main house.

13 Q. I neglected to ask you this when showing the first image,  
14 but do you see a date/time stamp on this photo?

15 A. Yes.

16 Q. Can you read that?

17 A. It was June 30th, 2011.

18 Q. And was that, in fact, the day you took these pictures?

19 A. Yes.

20 Q. Government Exhibit 7a/5, would you describe this photo,  
21 please.

22 A. If you walk back out that front door and go to your  
23 right, and it would be -- if you're looking at that front of  
24 the house, to the left, this is a apartment off to that  
25 side -- off to the left side of that house.

1 Q. By the way, do you know who owned this residence at the  
2 time you were conducting or taking the photographs?

3 A. Yes.

4 Q. Who was that?

5 A. I'm going to spell his first name. J-O-O-A-N-G (sic),  
6 and the last name is Kim, I believe.

7 Q. I'm going to show you Government Exhibit 7a/6. Tell the  
8 jury, please, what this photo shows.

9 A. Again, that's, again, going into the main portion of the  
10 house, the door shut.

11 Q. What is 7a/7?

12 A. That's walking through that door and looking straight  
13 into the house.

14 Q. 7a/8?

15 A. Again, just more of the same floor area. I believe --  
16 may have been the basement. I'm --

17 Q. 7a/9?

18 A. Again, it's just looking at the doorways -- different  
19 doors inside that house.

20 Q. Okay. What's depicted in 7a/10?

21 A. That is -- as you walk straight into the house -- and,  
22 again, the -- opens up to I guess a living room area. To the  
23 left is, again, a doorway, but over top the doorway is a heat  
24 register.

25 Q. And, finally, Exhibit 7a/11?

1 A. Again, going into the main house off to the right, and  
2 there is a downstairs basement area.

3 Q. Detective Hartlove, were there any other locations that  
4 you identified as significant in your investigation during the  
5 summer of 2009?

6 A. Yes.

7 Q. And what was the other location?

8 A. [REDACTED].

9 Q. And where is that location located?

10 A. In Baltimore City.

11 Q. How close is it to the [REDACTED] location you  
12 just talked about in these photographs?

13 A. I would estimate it probably about five miles, again, if  
14 you continued down [REDACTED] and come right into  
15 Washington Boulevard and make a left.

16 Q. I'm going to show you Government Exhibit 8a/1. Do you  
17 recognize this photograph?

18 A. Yes. That's a house on [REDACTED].

19 Q. And it, too, has a date/time stamp on it. Is this a  
20 picture that you took?

21 A. Yes.

22 Q. And was that the date that you took this image on -- I  
23 guess it's October 20th of 2011.

24 A. Yes.

25 Q. And, Government Exhibit 8a/2, that's just a close-up of

1 the same thing depicted in 8a/1?

2 A. Yes.

3 Q. Detective Hartlove, did you become aware of some law  
4 enforcement activity by members of the Annapolis police force  
5 on September 1st of 2009?

6 A. Yes.

7 Q. What was it that you learned in the course of the  
8 investigation?

9 A. Again, it was a day or two later after officers --  
10 Detective Hertik came to me. I went and followed --  
11 understood that they made an arrest -- several Annapolis  
12 police officers made an arrest out at [REDACTED]. When  
13 they made the arrest at [REDACTED], they also did a  
14 follow-up and also made an arrest down at [REDACTED]  
15 [REDACTED]. Again, this was September 1st, 2009.

16 Q. All right. I'm going to show you Government  
17 Exhibit 9a/17. Do you recognize this picture?

18 A. Yes.

19 Q. Is this a picture that you took this March?

20 A. Yes.

21 Q. And what's depicted in this photo?

22 A. This is [REDACTED]. This is [REDACTED].

23 Q. Are you able to see the [REDACTED] in this image?

24 A. [REDACTED], and this is [REDACTED].

25 Q. I'm sorry. Okay. The one in the background there that



1 you marked is [REDACTED]?

2 A. Yes.

3 Q. Okay.

4 A. Do you want me to clear it?

5 Q. Yes, please.

6 All right. I'm going to show you now Government  
7 Exhibit 9a/18.

8 A. That is me, again, walking further ahead in between the  
9 two buildings, and this is [REDACTED].

10 Q. Okay. Is this one of the buildings to which officers  
11 went on September 1st of 2009?

12 A. Yes.

13 Q. And did you learn what the purpose was for the law  
14 enforcement activity on that date?

15 A. Yes.

16 Q. And what was it?

17 A. They had an arrest warrant for Kerlin Fuentes, and they  
18 were seeing if he was at that location, at [REDACTED].

19 Q. Did you learn whether they found him there or not?

20 A. No, they did not find him there.

21 Q. You mentioned that there was some additional activity at  
22 another location; is that right?

23 A. Correct.

24 Q. And what was the other location?

25 A. [REDACTED].

1 Q. Now, this was a location that you previously testified  
2 about; is that right?

3 A. Yes.

4 Q. I'm going to show you Government Exhibit 10a/16. Do you  
5 recognize this image?

6 A. Yes. That's, again, a daytime photo that I took on  
7 March 12, 2003, or 2013, and this is just the front of [REDACTED]  
8 [REDACTED]. Again, you enter going to the right.

9 Q. And, Government Exhibit 10a/17, is this a close-up you  
10 took of the same location?

11 A. Yes, [REDACTED].

12 Q. Detective Hartlove, are you aware that your colleagues  
13 conducted any actual law enforcement activity in either of  
14 those locations?

15 A. I'm sorry. Can you repeat your question?

16 Q. Did you learn that your colleagues in the police  
17 department conducted law enforcement activities in either of  
18 those locations?

19 A. Yes.

20 Q. And, generally speaking, what did they do?

21 A. They made an arrest out at [REDACTED] on three  
22 individuals, and made one arrest at [REDACTED]  
23 [REDACTED].

24 Q. Do you know if they actually conducted searches when they  
25 were in either of those locations?

1 A. Yes.

2 Q. And was evidence seized from those locations?

3 A. Yes.

4 Q. Detective Ventura, did you -- excuse me. Detective  
5 Ventura. Apologize.

6 Detective Hartlove, did you have contact with  
7 Mr. Ventura in September of 2009?

8 A. No. Oh, I'm sorry. Later -- later in that  
9 September 2009, yes.

10 Q. Tell the jury, please, what the circumstances were of  
11 that contact.

12 A. It was approximately 5:56 in the evening. Again, there  
13 was an arrest warrant for German Ventura through Washington,  
14 D.C., and I made contact with him in the area of [REDACTED]  
15 [REDACTED], and this was on September 24th, 2009.

16 Q. Now, Detective Hartlove, you mentioned that, earlier in  
17 that month, the 1st of September, your officers -- other  
18 officers went to the [REDACTED] location. Did you, in  
19 the course of your investigation, have contact with anyone  
20 else who occupied that same building?

21 A. Of [REDACTED]?

22 Q. Yes.

23 A. Yes.

24 Q. The [REDACTED] location.

25 A. Yes.

1 Q. Who was that?

2 A. Officers that responded out to [REDACTED]?

3 Q. No. Anyone else who lived at that same location.

4 A. Oh, yes. The Escobars.

5 Q. Okay. And what were the circumstances that resulted in  
6 that contact?

7 A. The --

8 Q. Well, let me ask it this way: Did the Annapolis Police  
9 Department receive any calls regarding complaints from anyone  
10 else at [REDACTED]?

11 MR. RUTER: Objection.

12 THE COURT: Basis?

13 MR. RUTER: It's going to be hearsay. Your Honor.  
14 We don't know if it's relevant or not.

15 THE COURT: Overruled.

16 THE WITNESS: The -- the Escobars did contact the  
17 police department on several occasions after the arrest of the  
18 one individual at [REDACTED].

19 BY MR. CUNNINGHAM:

20 Q. Okay. Were you personally involved in anything to do  
21 with the woman who was arrested at [REDACTED] on  
22 September 1st of 2009?

23 A. No.

24 Q. Are you aware of whether information was pulled to try to  
25 show any kind of --

1           **MR. MONTEMARANO:** Objection.

2           **THE COURT:** Basis?

3           **MR. MONTEMARANO:** May we be heard at the bench?

4           **THE COURT:** Sure. Come up.

5           (Whereupon, the following discussion occurred at the  
6 bench.)

7           **MR. MONTEMARANO:** Counsel certainly is aware that  
8 the Court is inclined to allow a measure of, for lack of a  
9 better term, harmless leading so as to expedite matters. I  
10 suggest, most respectfully, that the question Mr. Cunningham  
11 was beginning to phrase has passed the level of leading and  
12 goes directly to testimony.

13           He can ask what they sought information about, but  
14 he was telling the detective what they were seeking  
15 information about. There is only one answer to that  
16 question -- yes, unless of course the answer is no.

17           **THE COURT:** Well, you have an advantage over me,  
18 because I don't know what the question was. What was the  
19 question going to be?

20           **MR. CUNNINGHAM:** Judge, I was basically asking --  
21 where I'm going with this, first of all, the Escobars are  
22 going to be called as witnesses, so I simply wanted to  
23 establish that they had received information and that they  
24 then looked into trying to find out whether there was contact  
25 between numbers that they associate with the Defendant, the

1 Defendants, and the people who had made the calls -- the  
2 complaint calls.

3 **MR. MONTEMARANO:** Mr. Cunningham was cut off by me  
4 and with my objection at the word "about," as in, did you  
5 obtain information about. That's testimony.

6 **THE COURT:** Well, actually, the question was:  
7 "Q. Are you aware of whether information was pulled to try to  
8 show any..."

9 **MR. MONTEMARANO:** Oh, excuse me. Well, that's the  
10 "about" I'm talking about. I'm sorry. Your Honor has the  
11 advantage over me having the screen with the words. I suggest  
12 that he was looking for an affirmative answer regarding  
13 information that he was going to give the detective as opposed  
14 to asking an open question.

15 **THE COURT:** Okay. Don't testify.

16 **MR. CUNNINGHAM:** Yes, Your Honor.

17 **MR. MONTEMARANO:** Thank you, Your Honor.

18 **THE COURT:** Thank you.

19 (Whereupon, the bench conference was concluded.)

20 **BY MR. CUNNINGHAM:**

21 Q. Detective Hartlove, did you try to gather any information  
22 relative to the calls received from these other occupants of  
23 [REDACTED]?

24 A. Yes.

25 Q. And what kind of information was that?

1 A. The information they provided was a phone number.

2 Q. All right. I'm going to show you Government Exhibit 11.  
3 Do you recognize what this document is?

4 A. This is incoming/outgoing calls to the Escobars' phone  
5 number, to the phone number [REDACTED]-0903.

6 Q. And, again, the significance of the 0903 number is what?

7 A. Again, that number was given or that number goes back to  
8 the name of Pancho, and that was in the [REDACTED] phone  
9 book to Rebeca Dueñas, and, again, Pancho was a suspect in the  
10 homicide.

11 Q. Okay. Let's move to September 24th of 2009. You said  
12 there was an outstanding arrest warrant for Defendant Ventura.

13 A. Yes.

14 Q. And did you have contact with him on that day?

15 A. Yes.

16 Q. And where was that?

17 A. Again, I first made contact with him at the scene of [REDACTED]  
18 [REDACTED]. There is a little alleyway next to the  
19 house.

20 Q. I'm going to put Government Exhibit 13e on the screen.  
21 Do you recognize this photo?

22 A. Yes. This is the house, [REDACTED]. The  
23 little alleyway is the little driveway right there near the  
24 speed sign.

25 Q. And, more specifically, within Annapolis, Maryland, where

1 is [REDACTED]?

2 A. Again, that's in the Eastport Section.

3 Q. And, in terms of -- is [REDACTED] one of the main  
4 roads within Eastport?

5 A. Yes. On --

6 Q. Are there any other sort of buildings or landmarks in the  
7 vicinity of [REDACTED]?

8 A. Yes. There is a post office that's four houses away from  
9 this one.

10 Q. Now, had you previously identified [REDACTED] as a  
11 location of interest in your investigation?

12 A. Previously? No.

13 Q. Yes.

14 A. No.

15 Q. As a result of having encountered Mr. Ventura at that  
16 location, did you continue to investigate the location?

17 A. Yes.

18 Q. What, if any, kind of observations did you make at [REDACTED]  
19 [REDACTED]?

20 A. I -- after the arrest, Ventura was transported to the  
21 police department by two other officers. I then did a  
22 surveillance of the area. I then located a couple vehicles  
23 out front. I wrote down the tag numbers. I did locate  
24 Mr. Ventura's Astrovan that was parked up towards the post  
25 office, as well as located another vehicle that was



1 unregistered parked out in front of the residence.

2 Afterwards, I continued to do surveillance for up to  
3 December on that location. I observed vehicles pull up,  
4 observed Hispanic males get out, walk to the back of the  
5 building.

6 **THE REPORTER:** I'm sorry. You observed vehicles  
7 pull up?

8 **THE WITNESS:** I observed vehicles pull up, park in  
9 front of the house, or near the house, several Hispanic males  
10 get out of vehicles, and walk to the rear of the building.

11 **BY MR. CUNNINGHAM:**

12 Q. Did you ever search Defendant Ventura on September 24th  
13 of 2009?

14 A. Yes.

15 Q. And when, in relation to the time you arrested him, did  
16 you search him?

17 A. It was back at the station.

18 Q. Was he permitted to keep all of his personal effects  
19 about him until he was transported back to the station?

20 A. The two phones were taken from the officers on the scene,  
21 and, yes, he was -- as long as he didn't have any weapons, he  
22 was allowed to keep what he had on him until he went back to  
23 the station, and then he was searched more thoroughly.

24 Q. Do you remember if, on that occasion, you found any cash  
25 on Mr. Ventura?

1 A. Yes.

2 Q. I'm going to show you Government Exhibit 13a. First of  
3 all, at the bottom of this form, do you recognize your own  
4 signature?

5 A. Yes.

6 Q. And we had seen a similar form relative to  
7 Defendant Fuertes' March of 2009 arrest; is that right?

8 A. Yes.

9 Q. And what's reflected on this particular form?

10 A. Again, this is a property inventory form of the Annapolis  
11 Police Department that we were seizing the money from him.

12 Q. How much money was seized from him?

13 A. \$859.

14 Q. Was that the full amount of money that was on his person  
15 when he was arrested?

16 A. Yes.

17 Q. And where is this money now, Detective Hartlove?

18 A. It was placed into evidence.

19 Q. Detective Hartlove, I'm going to show you an envelope  
20 that I'm going to put an exhibit label on as Exhibit 13e. Do  
21 you recognize what these assorted paper documents are in this  
22 particular envelope?

23 A. If you can turn it. It's upside down.

24 These paper items were items --

25 **MR. RUTER:** Objection, Your Honor, as to an opinion.

1 Q. Were these items seized from Mr. Ventura's person?

2 A. Yes.

3 Q. All right. Now, did you actually take individual photos  
4 of the items that are in this plastic packet?

5 A. Yes.

6 **MR. CUNNINGHAM:** Your Honor, I misspoke. This is  
7 marked Government Exhibit 13f, the packet with all of the  
8 items.

9 Q. Detective Hartlove, let me show you Government  
10 Exhibit 13b/1. Is this a photocopy of one of the paper items  
11 or documents that was included in this plastic evidence  
12 envelope marked Government Exhibit 13f?

13 A. Yes.

14 Q. Can you see at the top of this document any notations,  
15 either letters or words that are legible to you?

16 A. Yes.

17 Q. What in particular do you see -- actually, I'm pointing  
18 to right now -- do you -- can you read that word?

19 A. Yeah. [REDACTED].

20 Q. Now --

21 A. [REDACTED].

22 Q. I'm sorry? What?

23 A. [REDACTED].

24 Q. How does it appear to be spelled to you?

25 A. [REDACTED] or [REDACTED].

1 Q. And, in the course of your contact with members of the  
2 Hispanic community, did you hear how they pronounced the  
3 [REDACTED]?

4 MR. MONTEMARANO: Objection.

5 THE WITNESS: Yes.

6 THE COURT: Sustained.

7 BY MR. CUNNINGHAM:

8 Q. Do you see other annotations on here in terms of what  
9 appears to be a word there and a word there? Can you read  
10 those?

11 A. Yeah. Lunes --

12 MR. RUTER: I object to his reading it. The jury  
13 can see them for themselves.

14 THE COURT: Overruled.

15 THE WITNESS: Lunes and Brenda.

16 BY MR. CUNNINGHAM:

17 Q. And, below that, what do you see?

18 A. Numbers.

19 Q. Do you see any other what appear -- any other information  
20 on there that was familiar to you based on your investigation?

21 A. Two -- two other items.

22 Q. What are those?

23 A. Well, 61 times 15 is significant to me, and [REDACTED]  
24 down at the bottom.

25 Q. Detective Hartlove, had you learned at that point in the

1 investigation how much --

2 MR. MONTEMARANO: Objection.

3 THE COURT: Basis?

4 MR. MONTEMARANO: Leading.

5 THE COURT: Overruled.

6 BY MR. CUNNINGHAM:

7 Q. Had you learned in the operation of the brothel how much  
8 men paid for sex with one of the women?

9 MR. RUTER: Objection.

10 MR. MONTEMARANO: Objection.

11 THE COURT: Overruled.

12 THE WITNESS: Yes.

13 BY MR. CUNNINGHAM:

14 Q. And what was that?

15 A. It was \$30 per 15 minutes.

16 Q. Government Exhibit 13b/2, is this a photocopy of another  
17 one of those documents in 13f?

18 A. Yes.

19 Q. Likewise, do you see information on this page that was  
20 either familiar to you or relevant to your investigation?

21 A. Again, yes. The numbers down towards the bottom, the  
22 line across, like 137, as well as 97 times 15.

23 Q. Detective Hartlove, by this point in your investigation,  
24 had you become or do you know what a tally sheet is?

25 A. Yes.

1 Q. What's a tally sheet?

2 MR. RUTER: Same objection, Your Honor.

3 THE COURT: Overruled.

4 THE WITNESS: Tally sheet is, again, how to -- who  
5 you're paying and -- who you're paying and how much you're  
6 paying to, writing down the figures. It was clear to me that  
7 this was a tally sheet.

8 BY MR. CUNNINGHAM:

9 Q. I'm going to show you 13b/3. Is this a copy of another  
10 one of the documents in that exhibit you just saw?

11 A. Yes.

12 Q. Detective Hartlove, you've already testified you don't  
13 know Spanish. Do you know the days of the week or the letters  
14 corresponding to the days of the week in Spanish?

15 A. I -- I know that I recognize it to be that. I don't know  
16 them *per se*, but, yes, I recognize that.

17 Q. And what is it that you're referring to that you  
18 recognize?

19 A. The "L=22," "M=20," "M=19," I -- 16, that recognizes the  
20 days of the week.

21 Q. Government Exhibit 13b/4, are these copies of other  
22 documents that were seized from Mr. Ventura?

23 A. Yes.

24 Q. What is the document in the top left corner?

25 A. The top left corner was identified to come back to a

1 vehicle listed to where Mr. German Ventura lived at, [REDACTED]

2 [REDACTED]. It's a cancellation for the tags.

3 Q. Were there any other items on Exhibit 13b/4 that were of  
4 any significance?

5 A. Again, it's hard to read, but I think it would be -- one  
6 up to the top right was from Virginia; Norfolk area, I  
7 believe.

8 Q. You're referring to what appears to be a 7-Eleven  
9 receipt? This is the top right?

10 A. Yeah. I believe that was from Norfolk, and I can't see  
11 the bottom.

12 Q. I'm going to hand you Government Exhibit 13b/4, if you're  
13 able to see it any more clearly.

14 A. Yeah. These are just the receipts, and, yes, Norfolk is  
15 from the 7-Eleven down there, as well as some other local  
16 establishments.

17 Q. Detective Hartlove, in September of 2009, had any  
18 activity in Virginia been the focus of your investigation?

19 A. No.

20 Q. Did it become part of the investigation?

21 A. Yes.

22 Q. I'm going to show you Government Exhibit 13b/5. Are  
23 these also copies of those documents?

24 A. Yes.

25 Q. Can you see any information on this particular document

1 that had significance to your investigation?

2 A. The [REDACTED], the number, I believe, came back  
3 in the investigation.

4 Q. Is this the -- I'm going to point to -- is this the  
5 document you're referring to?

6 A. Yes.

7 Q. And do you recall, or, if I hand you -- if I hand you  
8 Exhibit 13f, are you able to describe with any more  
9 particularity what that document is? Not the copy of it, but  
10 the original document?

11 A. The -- I'm sorry. You said the piece of paper with the  
12 [REDACTED] number?

13 Q. Yes. It ends in 9537.

14 A. Yeah. Again, that -- that number was the number that  
15 Fuentes was in possession of back on 3/25/2009.

16 Q. On the occasion of his arrest?

17 A. Yes.

18 Q. All right. 13b/6, are these copies of more documents  
19 that were in Mr. Ventura's possession when he was arrested?

20 A. Yes. His Maryland license and some other document --  
21 business cards.

22 Q. Now, 13c, do you recognize this document?

23 A. This was also another document with his face on it with a  
24 different name than German Ventura.

25 Q. Did you actually recover the original of this document --



1 of this particular identification card?

2 A. Yes.

3 Q. I'm going to put Government Exhibit 13c, the original, on  
4 the screen here. Can you see the name that's on this  
5 identification card from where you are? It's in the plastic.  
6 I don't know if you can read it there.

7 A. Go from my report.

8 Q. Well, let me hand it to you, Detective Hartlove, and I  
9 will recover Exhibit 13f.

10 A. Apologize again for the name. It's [REDACTED]  
11 [REDACTED] with a date of birth of [REDACTED]/73 -- 1973. It  
12 says under that, "Mexicana."

13 Q. Do you recognize the image that is on that document?

14 A. Yes.

15 Q. Whose image is that?

16 A. German Ventura.

17 Q. Detective Hartlove, I'm showing you now on the screen  
18 Government Exhibit 13d/1. Do you recognize this exhibit?

19 A. Yes. This is the black Sprint Blackberry phone that was  
20 taken from German Ventura on the date that he was arrested,  
21 9/24/2009.

22 Q. Were you able to recover a telephone number associated  
23 with this particular phone?

24 A. Yes.

25 Q. And what was the number?

1 A. On the top, [REDACTED]-7742.

2 Q. I'm going to show you Government Exhibit 13d/2. Do you  
3 recognize this particular cell phone?

4 A. Again, this is a Sprint phone LG that was taken from him,  
5 and that number came back to [REDACTED]-0903.

6 Q. Now, with regard to either of these numbers, again, the  
7 0903, you mentioned several times. Was this a relevant number  
8 in the context of your investigation?

9 A. Yes.

10 Q. And how about the one that ended 7742? Have we heard  
11 that number before? Do you recall?

12 A. I don't believe that came up in the investigation, but I  
13 obviously documented it.

14 Q. Now, did you have an occasion to speak with Mr. Ventura  
15 about any of the items that you seized from him when he was  
16 arrested?

17 A. Yes.

18 Q. And when was that?

19 A. It was later on that we interviewed him.

20 Q. We know from your previous testimony about the booking  
21 process, that officers try to gather information from  
22 individuals. Did you ask him the same kind of standard  
23 information that you ask other individuals who are booked in?

24 A. Yes.

25 Q. Did you ask him for a telephone number?

1 A. Yes.

2 Q. Did he tell you or did he give you a telephone number?

3 A. No.

4 Q. At the point that you were interviewing him, had you  
5 already seized the two telephones that have been introduced as  
6 Government Exhibits 13d/1 and d/2 from his person?

7 A. Yes.

8 Q. And did you say anything to him about his denial of  
9 having any telephone?

10 A. Yes. I mean, I -- when I interviewed him, yes. I asked  
11 him about the phones.

12 **MR. CUNNINGHAM:** Excuse me one second, Your Honor.

13 Q. Let me see if I -- in the course of the booking  
14 information, first of all, did you -- you yourself collect the  
15 booking information from Defendant Ventura, Detective  
16 Hartlove?

17 A. I have to look at my notes. I don't -- I can't recall if  
18 the other officers gathered the booking information or not.

19 Q. Okay. And, when you actually interviewed him, were you  
20 assisted by any other officers from the police department?

21 A. When I interviewed him? Yes.

22 Q. Yes. Who was it that was assisting you?

23 A. Again, it was Joe Hudson when I interviewed him.

24 Q. And Joe Hudson is your Hispanic liaison for the police  
25 department?

1 A. Yes.

2 Q. Was he speaking to the Defendant in Spanish?

3 A. No.

4 Q. Was he translating things that you were saying to the  
5 Defendant?

6 A. No.

7 Q. Did you advise Mr. Ventura of his rights prior to asking  
8 him questions -- substantive questions regarding your  
9 investigation?

10 A. Yes.

11 **DEFENDANT VENTURA:** Uh-uh.

12 Q. Did you or -- excuse me.

13 Did Mr. Hudson translate those -- the rights  
14 advisement into Spanish for Mr. Ventura?

15 A. No.

16 Q. Do you -- did Mr. Ventura answer -- well, first of all,  
17 did you ask him if he understood you when you advised him of  
18 his rights?

19 A. Yes.

20 Q. And did he respond to you in English?

21 A. Yes.

22 Q. Were you able to communicate with him in English at the  
23 time?

24 A. Yes.

25 Q. Did he indicate to you that he was willing to answer your

1 questions and essentially waive the rights that are afforded  
2 to him under the Constitution and answer your questions?

3 A. Yes.

4 Q. Now, to go to the question -- at that point in time, you  
5 had -- you knew about the seizure of these two cell phones  
6 from his person at the time of his arrest?

7 A. Yes.

8 Q. And do you know if you provided a telephone number when  
9 he was essentially booked?

10 A. I don't believe he did, but I have to look at the booking  
11 sheet to make sure.

12 Q. Okay. Did you ask him about having a telephone number at  
13 which he could be contacted?

14 A. Yes.

15 Q. And what did he tell you?

16 A. He said he didn't have one.

17 Q. In the context of that, did you ask him anything about  
18 the fact that he had two cell phones on his person when he was  
19 arrested?

20 A. Yes.

21 Q. And what did he say?

22 A. He indicated those cell phones don't belong to him. He  
23 said that the Blackberry phone was -- he found it at the  
24 Annapolis Mall today, the day that he was locked up, and he  
25 says that the other phone belongs to a taxicab driver, and I

1 asked him for the taxicab driver's name, and he could not  
2 provide it to me.

3 Q. And, with regard to -- is this the phone -- Government  
4 Exhibit 13d/2, is this the phone that he attributed to a taxi  
5 driver?

6 A. Yes.

7 Q. And, to remind -- this is the phone to which the  
8 number 0903 was assigned?

9 A. Yes. After search warrant, I obtained that.

10 Q. I'm sorry. What?

11 A. After a search warrant, I obtained that number.

12 Q. Okay. You obtained a search warrant to look into these  
13 phones with some greater technical capability?

14 A. Yes.

15 Q. Did that apply to both of these phones,  
16 Detective Hartlove?

17 A. Yes.

18 **MR. CUNNINGHAM:** Your Honor, I note the time, and  
19 we're in the examination -- this might be the appropriate time  
20 for a mid-morning break.

21 **THE COURT:** Very good. Thank you.

22 Members of the jury, we're going to take the morning  
23 break now. Please remember: Don't discuss the case among  
24 yourselves or with anyone else. We will resume at 11:45.

25 **THE CLERK:** All rise. This Honorable Court stands

1 in recess until 11:45.

2 (Jury excused.)

3 (Recess taken, 11:22 a.m. - 11:44 a.m.)

4 **THE CLERK:** All rise. This Honorable Court now  
5 resumes in session.

6 **THE COURT:** Ready for the jury, counsel?

7 **MR. CUNNINGHAM:** Yes, Your Honor.

8 **MR. MONTEMARANO:** Yes, Your Honor.

9 (Jury enters.)

10 **THE COURT:** Please be seated.

11 Please remind the witness.

12 **THE CLERK:** I'd like to remind you: You're still  
13 under oath.

14 **THE WITNESS:** Yes, ma'am.

15 **BY MR. CUNNINGHAM:**

16 Q. Detective Hartlove, you had indicated that -- we  
17 concluded with some testimony regarding the cell phones and  
18 Mr. Ventura's account of the cell phones in his possession.  
19 As a result -- well, first of all, did that inquiry occur in  
20 the initial stage of your interview of him?

21 A. Yes.

22 Q. The inquiry about whether he had any telephone or  
23 telephone numbers assigned to him?

24 A. Yes.

25 Q. And, following that, did you ask him any questions about

1 the investigation that you were conducting or matters of  
2 interest to you in your investigation?

3 A. Yes. Generally, yes.

4 Q. Did he provide you any information?

5 A. No.

6 Q. Did he say he had any information that he could provide  
7 you?

8 A. He said he had information, but he would have to be paid  
9 for.

10 Q. And did you pay him any money?

11 A. No.

12 Q. And did you get any information from him during the  
13 course of that interview?

14 A. No.

15 Q. Now, having identified the phone numbers, you said you  
16 obtained a search warrant to obtain information from the  
17 phones; is that right?

18 A. Yes.

19 Q. And then you obtained the 0903 was the number assigned to  
20 one of the phones?

21 A. Yes.

22 Q. I'm going to show you Government Exhibit 36a. Recall  
23 your testimony earlier regarding Exhibits 36b and d. Do you  
24 recognize what this document is?

25 A. Yes. This is from Sprint. This is a information back



1 from Sprint referenced to a phone subscriber information.

2 Q. Okay. I'm going to hand Government Exhibit 36a to you.

3 This is a multi-page document. First of all, what information  
4 is included in Exhibit 36a?

5 A. This is the -- I can tell that it was the first one back  
6 from Sprint. They faxed it back to me on October 3rd, 2008,  
7 and it was for the subscriber information for [REDACTED]-0903.

8 Q. Did it give subscriber information for a particular  
9 period of time associated with that phone number?

10 A. Yes. It says the date range was 8/1/2008 to 9/13/2008.  
11 It says the account was established on 12/27/2006.

12 Q. And to whom is the account assigned?

13 A. It says, "Subscriber's Name: German Ventura," and then  
14 the address [REDACTED], Capitol Heights, Maryland,  
15 20743.

16 Q. Did there come a time when you sought additional  
17 subscriber information associated with that number?

18 A. Yes.

19 Q. And, also included in Exhibit 36a, are there other  
20 documents showing any other different subscriber information  
21 for that particular number?

22 A. Yes. Sprint sent a response back from a Court Order. It  
23 was dated on October 5th, 2009. It's for the subscriber  
24 information for the phone number [REDACTED]-0903, and it  
25 didn't -- the subscriber name or the date range says 9/12/2008

1 to 9/18/2009, and now it lists the subscriber as Amparo de  
2 Jesus Gonzalez -- Gonzalez, I believe, [REDACTED]  
3 [REDACTED], Annapolis, Maryland, 21401, and, again, it says  
4 the account was established back on 5/3/2008.

5 Q. May I please have the document?

6 A. Here. I'm sorry. Here is the rest of it.

7 Q. Detective Hartlove, let me put up Government Exhibit 36c,  
8 and I'm going to open to the second -- first of all, do you  
9 recognize this as also subscriber information from Sprint?

10 A. Yes.

11 Q. And did you obtain a Court Order to seek this information  
12 as well?

13 A. Yes.

14 Q. Okay. On the second page of this document, are you able  
15 to determine for what phone number you were seeking subscriber  
16 information and the information that was returned to you?

17 A. Yes. It was for phone number [REDACTED]-9537, and it's  
18 listed to Dulce Benitez Ventura, [REDACTED]  
19 [REDACTED], Annapolis, Maryland, 21401.

20 Q. When you asked Mr. Ventura if he had information that was  
21 relevant to your interview or inquiry of him the night of  
22 September 24th, 2009, the information that he told you he had  
23 to be paid for, did he tell you what kind of information he  
24 had?

25 A. No. I was -- I was talking to him about -- at that

1 point, about murders or shootings, and then he indicated  
2 about -- that he knew information about -- also about  
3 prostitution and drugs in D.C.

4 Q. Now, after you arrested him in September of 2009, what  
5 kind of law enforcement activity did you continue in relation  
6 to this particular investigation?

7 A. After the arrest of Ventura?

8 Q. Correct, in the months following his arrest.

9 A. Again, I continued surveillance at the address of [REDACTED]

10 [REDACTED].

11 Q. Did you observe Mr. Ventura in proximity to that location  
12 at any time after his arrest?

13 A. I did.

14 Q. Did you have any further contact with him in the, say,  
15 three months following his arrest in late September of 2009?

16 A. No, I didn't have any contact with him.

17 Q. What was the next event in the context of your  
18 investigation of some relevance?

19 A. Again, it would be March of 2010 -- March 17th, 2010.

20 Q. What was the event in particular that you're referring  
21 to?

22 A. Again, it was a call that came in to dispatch about a  
23 robbery at [REDACTED]; in particular, [REDACTED]

24 [REDACTED].

25 Q. Now, Detective Hartlove, do you recall how this

1 information -- well, first of all, how did the information  
2 come to your attention?

3 A. It came to my attention -- I came into work the following  
4 day and learned that they -- some of the detectives as well as  
5 Joe Hudson were conducting an interview with someone, and then  
6 I was briefed by the supervisors as well as the officers  
7 conducting the investigation.

8 Q. Was there something -- you mentioned earlier the report  
9 of a robbery; is that right?

10 A. Yes.

11 Q. And was that what sort of precipitated the activity that  
12 you were alerted to?

13 A. Yes.

14 Q. And what was it that first alerted police to the fact of  
15 a robbery?

16 A. Again, there was a call into the police department of a  
17 gentleman calling in a 911 call for the robbery and going to  
18 radio and finding out more information about who dialed the --  
19 who called it in. That was documented on a CAD sheet as well  
20 as a 911 call.

21 Q. Let me interrupt you there to explain -- ask you to  
22 explain some things. I'm going to put up Government  
23 Exhibit 40c/1A. Do you recognize what this document is?

24 A. Yes. This is information from a CAD call -- a CAD sheet  
25 from the Annapolis Police Department.

1 Q. And, when a 911 call is made to the police department,  
2 how is this document generated?

3 A. Again, if it's a 911 call, obviously if someone's phone  
4 dials 911, it's registered on 911, and that phone number is  
5 then automatically entered into our CAD system. Those notes  
6 down at the bottom are from the dispatcher, and, again, the  
7 phone number that's in the middle is, automatic, generated  
8 from the 911 call screen that goes right into the CAD.

9 Q. Looking at your screen, are you able to determine the  
10 number from which this 911 call was made?

11 A. Yes. [REDACTED]-3124.

12 Q. We'll come back to it in a minute, but, on -- well, first  
13 of all, tell us the date of this particular 911 call.

14 A. This was, again, February 17th, 2010, at 10:13 hours --  
15 at 22:13, which is 10:13 p.m.

16 Q. Earlier, you had said March. Was it, in fact, this  
17 incident in February?

18 A. February. I'm sorry.

19 Q. Okay. Now, when this was brought to your attention on  
20 the day after, was this number, the 3124 number, of any  
21 significance to you at that time?

22 A. No, not at that time.

23 Q. Now, when a 911 call is made to the police department, in  
24 addition to the CAD report, does the department in any way  
25 capture or retain the actual call?

1 A. Yes.

2 MR. CUNNINGHAM: And I'm going to play for you now  
3 what has been marked and is on a disk, Your Honor, for  
4 evidence sake as Government Exhibit 40c/1.

5 (Whereupon, an audio recording was played.)

6 **BY MR. CUNNINGHAM:**

7 Q. Now, Detective Hartlove, upon learning about this police  
8 response, did you listen to the 911 call that essentially  
9 generated?

10 A. Yes.

11 Q. When was it that you listened to that call?

12 A. Again, I came in in the morning hours. I assisted in an  
13 interview on one of the suspects, and, after that, I had the  
14 911 call made up and captured it and listened to it. It was  
15 probably later in the early morning to late in the day that --  
16 the day I came in.

17 Q. And obviously this was following your interview with  
18 Mr. Ventura on September 25th of 2009?

19 A. Yes.

20 Q. And, during that interview, did you speak -- the December  
21 25th, 2009 interview, were you speaking English the whole  
22 time?

23 A. Yes, I was speaking English. There was probably three  
24 times that he may have asked Joe Hudson to interpret a word,  
25 but I spoke English, and he understood me in English.

1 Q. Now --

2 MR. RUTER: Your Honor, may we approach?

3 THE COURT: Yes. Come up.

4 (Whereupon, the following discussion occurred at the  
5 bench.)

6 MR. RUTER: Your Honor, I'm sure Mr. Cunningham is  
7 going to attempt to ask the detective whether or not the voice  
8 he heard on the 911 call is Mr. Ventura based upon the  
9 conversation he had with him when he arrested him in '08.  
10 It's my belief that the -- based upon the listening to that  
11 tape, it's so incomprehensible what's being said and by whom  
12 that he ought not to be allowed to get the opinion as to  
13 whether the voice is Mr. Ventura's.

14 THE COURT: Okay. Overruled.

15 MR. CUNNINGHAM: Thank you.

16 (Whereupon, the bench conference was concluded.)

17 THE COURT: You, of course, will get cross.

18 MR. RUTER: Yes, Your Honor.

19 BY MR. CUNNINGHAM:

20 Q. Detective Hartlove, we just listened to the 911 call.

21 Did you listen to it once, or more than once?

22 A. I listened to it several times, but --

23 Q. Do you have an opinion as to who the caller was for that  
24 911 call?

25 A. Yes.

1 Q. And who is that?

2 A. German Ventura.

3 Q. Now, actually, let's move forward a leaf by about ten  
4 months. On the 15th of November of 2010, you and other law  
5 enforcement officers executed essentially the takedown in this  
6 case; is that right?

7 A. Yes.

8 Q. Takedown of the investigation, at which time there were  
9 searches of a variety of locations, vehicles, and people?

10 A. Yes.

11 Q. And do you recall during that search that you recovered a  
12 cell phone that had the 3124 number assigned to it?

13 A. Yes.

14 Q. And where was that cell phone recovered?

15 A. That cell phone was recovered in the van with  
16 German Ventura.

17 Q. I'm sorry. If you said it, I missed -- I didn't hear  
18 exactly. What was the location that you recovered it?

19 A. That was recovered in the Chevy Astrovan, the one that  
20 German Ventura was driving at the time that he was locked up  
21 on the takedown on November 15th, 2010.

22 Q. And did there come a time when you sought subscriber  
23 information for that particular telephone number?

24 A. Yes.

25 Q. I'm going to show you Government Exhibit 36e, and,



1 particularly on the second page, are you able to see that  
2 this, in fact, is the subscriber information --

3 A. Yes.

4 Q. -- for that particular phone number?

5 A. Yes.

6 Q. And what information is provided as to who the subscriber  
7 is on this particular account?

8 A. It says the subscriber was Oscar de LaHoya at [REDACTED]  
9 [REDACTED], Capitol Heights, Maryland, 20743.

10 Q. Do you know Oscar de LaHoya?

11 A. Boxer.

12 Q. As to the address on there, Detective Hartlove, where is  
13 that roughly in relation to the [REDACTED] address that you  
14 searched on November 15th, 2010?

15 A. It's a couple blocks away from [REDACTED].

16 Q. We'll come back to this in more detail, but do you know  
17 if other 911 calls were received by Annapolis Police from that  
18 same number?

19 A. Yes.

20 Q. Now, the incident at [REDACTED], would you describe it to  
21 the jury, please.

22 A. Officer -- road officers got -- responded out there for  
23 the robbery. As several road officers were coming to the  
24 area, they observed -- it was snowing that evening as well.  
25 They observed three subjects running away from the area. They

1 broadcasted that out to the other road officers. Officers get  
2 to the location, and, again, when they get to the location of  
3 [REDACTED], meanwhile they're also coming in contact with the  
4 three individuals running away a few blocks away on [REDACTED]  
5 [REDACTED].

6 Those individuals were thought to be victims at  
7 first, and then the investigation revealed that they were the  
8 suspects, and the investigation learned that those three  
9 individuals went there to rob the apartment or people inside  
10 the apartment. There were four victims, four Hispanic -- two  
11 males, two females inside the apartment, and they were robbed  
12 of their belongings there at the house.

13 Q. When police -- did police actually go into the apartment  
14 at [REDACTED]?

15 A. Yes.

16 Q. And, upon entering the apartment, did they discover  
17 things that prompted them to essentially take other kinds of  
18 law enforcement measures?

19 A. Yes. They secured the apartment and obviously the people  
20 in the apartment, and they obtained a search warrant for the  
21 apartment.

22 Q. What was it that prompted them to seek and obtain a  
23 search warrant?

24 A. Again, everything that they saw in plain view and  
25 speaking with the witnesses, they noticed that, again, it was

1 a -- clearly a brothel that was being operated at the house.

2 Q. Now, you personally didn't respond to [REDACTED] on  
3 February 17th of 2010; is that right?

4 A. No.

5 Q. Do you know if other officers actually executed the  
6 search warrant and seized evidence from that location?

7 A. Yes. Detective Amy Miguez.

8 Q. Okay. Had she previously been involved in some capacity  
9 in this investigation?

10 A. Yes.

11 Q. Okay. Is she still with the Annapolis Police Department?

12 A. She is still with the Annapolis Police Department.

13 Q. Okay. Now, I mentioned that --

14 **MR. CUNNINGHAM:** Excuse me one second, Your Honor.

15 Q. Now, you mentioned that other 911 calls were received  
16 from the 3124 number; is that right?

17 A. Yes.

18 Q. I'm going to show you now Government Exhibit 40c/2A. Do  
19 you recognize this as another CAD report?

20 A. Yes. This was dated on March 13, 2010, at 9:57 and close  
21 to 10 o'clock p.m. It was for that address of [REDACTED]  
22 and [REDACTED]. The call came in from [REDACTED]-3124?

23 Q. Now, you indicated that the summary is put on there by  
24 the dispatcher?

25 A. Yes.

1 Q. All right. Did you listen to the 911 call corresponding  
2 to that particular CAD report?

3 A. Yes.

4 **MR. CUNNINGHAM:** Your Honor, at this time, I'm going  
5 to play a wave file that's marked Government Exhibit 40c/2.

6 (Whereupon, an audio recording was played.)

7 **BY MR. CUNNINGHAM:**

8 Q. Detective Hartlove, do you know how that call was  
9 terminated?

10 A. No.

11 Q. And, like the last 911 call, did you listen to that on  
12 several occasions?

13 A. Yes.

14 Q. And do you have an opinion as to who the caller was?

15 A. Yes.

16 Q. Who is that?

17 A. German Ventura.

18 Q. And this was the same number from the previous 911 call  
19 we listened to, Government Exhibit 40c/1?

20 A. Yes.

21 Q. Now, do you know if, as a result of that phone call, any  
22 other law enforcement activity ensued on March 13th of 2010?

23 A. Yes.

24 Q. And what was that?

25 A. Officer -- Corporal Cruz conducted a traffic stop on that

1 vehicle, and those two subjects were arrested and brought to  
2 the station.

3 Q. I'm going to show you Government Exhibit 15c/1. Do you  
4 recognize this individual?

5 A. Yes.

6 Q. Who is this person?

7 A. Freddy Soriano.

8 Q. And was he known to you in the Annapolis community?

9 A. No, not to me.

10 Q. Did he become known to you within the Hispanic community  
11 in Annapolis?

12 A. Yes.

13 Q. I should say -- I should preface that. Was he a member  
14 of the Hispanic community in the Annapolis, Maryland area?

15 A. Yes.

16 Q. I'm going to show you Government Exhibit 15c/2. Do you  
17 know who that person is?

18 A. Yes.

19 Q. Who is that?

20 A. Alba Garcia Garcia.

21 Q. And why was his picture included with the image of  
22 Mr. Soriano?

23 A. Those were the two people that were arrested in the  
24 vehicle.

25 Q. And, Government Exhibit 15c/3, can you tell the jury,

1 please, what these items are.

2 A. Again, these were items that were seized off them.

3 Q. Detective Hartlove, did you learn what kind of business  
4 that Mr. Soriano was in?

5 A. Yes.

6 Q. And what was that?

7 A. He was in a delivery service bringing prostitutes to  
8 Annapolis.

9 Q. As a result of his arrest, did you have any kind of  
10 follow-up contact with him?

11 A. Yes.

12 Q. And please tell us the nature of that.

13 A. Again, on --

14 Q. I -- go ahead.

15 A. -- several occasions, we would -- Freddy would meet with  
16 us, or we would meet with Freddy, and he would obtain or give  
17 information.

18 Q. And, when you say "we," at that point in time, did this  
19 include Special Agent Ed Kelly?

20 A. Yes.

21 Q. And were there occasions when telephone calls were placed  
22 to a number that you associated with Mr. Ventura?

23 A. Yes.

24 Q. Did you and/or Special Agent Kelly listen to the  
25 conversation on these calls?

1 A. It -- yes. On the first beginning, I listened to the  
2 calls, and it was mainly Agent Kelly.

3 Q. Okay. As a result of this 911 call relating to Soriano,  
4 who is arrested, did the nature of your investigation change?  
5 Did you increase any kind of law enforcement activity --

6 A. Yes.

7 Q. -- in any way?

8 **MR. MONTEMARANO:** Leading.

9 **THE COURT:** Overruled.

10 **THE WITNESS:** Yes. We stepped up surveillance on  
11 German Ventura and the organization of the brothel that he  
12 had.

13 **BY MR. CUNNINGHAM:**

14 Q. Now, Detective Hartlove, are you familiar with the  
15 capability to essentially get location monitoring data from  
16 cell phones?

17 A. Yes.

18 Q. And did you seek to obtain the authority to get that kind  
19 of information from certain phones that you associated with  
20 the operation of these brothels?

21 A. Yes.

22 Q. When did that begin, your effort to obtain this kind of  
23 location monitoring information?

24 A. The 3124 number, we started -- put in a Court Order for  
25 that. It was at the -- say the middle of March to the end of

1 March, and it started from there.

2 Q. And did you subsequently seek and obtain orders to do any  
3 kind of monitoring on other telephone numbers?

4 A. Yes.

5 Q. And, when you -- well, tell the jury how it was that you  
6 were able to use the kind of information that you would  
7 receive on these cell phone location monitoring capabilities.

8 A. How they worked?

9 Q. Yes.

10 A. Again, having the Court Order, what we would do is they  
11 would -- the company, Sprint, most of it was they would send  
12 us geographical location of where the phone was. If the phone  
13 receives a good signal, the location of the individual with  
14 that phone or the location of the phone in general can be down  
15 to three meters away. It can also be as far as, you know,  
16 over 4,000 meters away, depending on, again, the signal of the  
17 phone.

18 Q. And how would you use the information -- well, first of  
19 all, with what frequency did you receive this kind of location  
20 information?

21 A. We received -- we were getting updates every 15 minutes,  
22 and they were being sent to my e-mail and the e-mail address.  
23 Every 15 minutes, I could look at it. It's basically -- they  
24 say ping it. Basically, you -- then it sends out a Google map  
25 of where the phone is located at.



1 Q. And would you maintain access to your e-mail account so  
2 that, wherever you were, you could check it every 15 minutes  
3 if you needed?

4 A. Yes. I had a mobile computer and a Internet access, yes.

5 Q. Now, how would you use the information that you received  
6 as to the cell phone location monitoring in the broader  
7 context of your investigation?

8 A. Again, just when we started the surveillance on  
9 German Ventura, what we did was, to begin to look at his  
10 investigation, we found out where his phone was. We would  
11 then conduct a physical surveillance on him or his -- the  
12 people operating the brothels that he was involved in.

13 Q. And, when you say "physical surveillance," you're talking  
14 about yourself or other officers actually putting eyeballs on  
15 a specific target?

16 A. Yes. On several occasions, it was several officers at a  
17 time. We would do physical surveillance by following him,  
18 yeah.

19 Q. Would you include within the surveillance operations  
20 essentially staking out locations in anticipation of he might  
21 show up?

22 A. Yes.

23 Q. How would that work?

24 A. After -- after a month or two and realizing how the  
25 operation worked, we then realized that there were certain

1 times -- certain days that the women would be picked up and  
2 delivered at certain locations, so we would sit at a distance  
3 with the cameras, and we would know when the delivery -- that  
4 the girls were going to be brought to the house, and we would  
5 take pictures.

6 Q. Now, did you -- did Annapolis Police Department ever  
7 receive any other 911 calls that were associated with  
8 Mr. Soriano?

9 A. I'm sorry. Say --

10 **MR. MONTEMARANO:** Objection. Basis for knowledge.

11 **MR. CUNNINGHAM:** All right. I'm going to --

12 **THE COURT:** Overruled.

13 **BY MR. CUNNINGHAM:**

14 Q. I'm going to show you Government Exhibit 40c/3A. Do you  
15 recognize this document?

16 A. Yes.

17 Q. Is this another one of the CAD reports?

18 A. Yes.

19 Q. Now, on this document, first of all, can you tell us the  
20 date, please?

21 A. The date was March 29th, 2010. It was 21:55, which is  
22 9:55.

23 Q. And do you see the phone number on this document that is  
24 associated with the call?

25 A. Yes.

1 Q. And what's that number?

2 A. [REDACTED]-9243 (sic).

3 Q. And, at the time that this 911 call was received, had you  
4 obtained any kind of -- or let me put it this way: Was that  
5 number familiar to you?

6 A. Yes. It's familiar to me, and I believe we were up on  
7 this number, or, again, it was involved in the numbers that we  
8 were receiving back from 3124. Let me refresh my memory here.  
9 Yeah. This was a number also that was provided to us by a  
10 witness.

11 MR. CUNNINGHAM: I'm going to play Government  
12 Exhibit 40c/3.

13 (Whereupon, an audio recording was played.)

14 BY MR. CUNNINGHAM:

15 Q. Detective Hartlove, I'm putting on the screen again  
16 40c/3A. Did you determine what that call was in relation to?

17 A. Yes.

18 Q. And what was that?

19 A. Again, that was in relation to a Freddy Soriano  
20 delivering girls to that location, to the [REDACTED], and --

21 Q. Okay. Now, let me ask you: This phone number again, the  
22 one that ends in 9263, at the time that the call came in, was  
23 that a number that you had essentially included within the  
24 universe of numbers about which you were seeking information?

25 A. Yes.

1 Q. And I'm going to show you -- moving forward to  
2 November 15th, 2010, Government Exhibit 27d, do you recognize  
3 this document?

4 A. Yes. A Boost Mobile -- receipt from Boost Mobile.

5 Q. And are you able to see -- let me see if I can zoom in on  
6 it. First of all, do you know where this document was  
7 recovered?

8 A. Yes.

9 Q. And where was that?

10 A. From German Ventura's house at [REDACTED].

11 Q. And do you see the number on there to which this receipt  
12 is associated?

13 A. Yes.

14 Q. And what is that?

15 A. [REDACTED]-9263.

16 Q. And that's the number that -- from which this 911 call  
17 came in?

18 A. Yes.

19 Q. Do you know if, on that occasion, there was any further  
20 law enforcement response with regard to Mr. Soriano?

21 A. I know they responded out there, but I don't think they  
22 came in contact with him.

23 Q. Now, you spoke about the increase in surveillance  
24 activity that you and other law enforcement officers began  
25 about this time frame; is that right?

1 A. That's correct.

2 Q. I want to go through with you several particular dates.  
3 Well, before doing that, on approximately how many  
4 occasions -- days, if you will -- between the beginning of  
5 April of 2010 and November 15th of 2010 -- and  
6 approximately -- how many times did you or other officers  
7 conduct the physical surveillance about which you testified?

8 MR. RUTER: Your Honor, I object. May we approach,  
9 please?

10 THE COURT: Yes. Come up.

11 (Whereupon, the following discussion occurred at the  
12 bench.)

13 MR. RUTER: Your Honor, I'm not too sure whether the  
14 Government has advised Detective Hartlove of the Court's  
15 ruling, but obviously this question would be elicited for an  
16 answer concerning each and every time the police saw  
17 Mr. Ventura, which was a lot during that time frame. The  
18 difficulty is that there can be many times when they saw him  
19 as a result of their investigative technique using the GPS  
20 device, and I want to make certain that the Government is more  
21 finally tuned to their questioning to make sure that there is  
22 no observations made of Mr. Ventura as a result of the GPS  
23 being illegally placed on his various vehicles.

24 THE COURT: Is your witness prepared?

25 MR. CUNNINGHAM: Judge, he is, and, in fact, I can

1     advise counsel and the Court: We had -- as you can see from  
2     our proposed exhibit list, one of the dates was June 14th,  
3     and, on that particular day, they used the GPS tracking data  
4     from the slap-on devices, so we're not going to introduce  
5     that. We've gone through and scrubbed the other dates that  
6     were identified where they used the telephone location  
7     monitoring to essentially begin their surveillance activities,  
8     and then from which would flow -- I can move on with this. It  
9     was just -- the reason I was setting this up, I'll tell you,  
10    is because he needs to refer to his notes in terms of sort of  
11    specific information as to what particular date. There is  
12    only, I think, six or seven dates we intend to introduce  
13    information, and we've gone through to ensure that they were  
14    dates from which they -- the location was derived --

15           **THE COURT:** Perhaps you can lead him onto the dates  
16    that you want.

17           **MR. CUNNINGHAM:** Yes, Your Honor.

18           **THE COURT:** Okay.

19           **MR. RUTER:** Thank you, Your Honor.

20           (Whereupon, the bench conference was concluded.)

21    **BY MR. CUNNINGHAM:**

22    Q.    Detective Hartlove, I want to begin by addressing  
23    surveillance activities from April 5th of 2010. Are you  
24    familiar with the specific surveillance on that date?

25    A.    Yes.

1 Q. Can you give us essentially a quick synopsis, if you  
2 will, of the physical surveillance activities on April 5th of  
3 2010.

4 A. Yes. I went out to -- on the 5th, I went out to  
5 [REDACTED], set up in a covert vehicle. At the time, I  
6 observed the green Ford Explorer owned by German Ventura pull  
7 up to that location. Just prior to that, there was a male  
8 standing around. I observed him out there. Then the van  
9 pulls up. The Ford Explorer pulls up and parks near the  
10 mailboxes. Two females get out, and the gentleman who was  
11 standing out there prior to that helped them with the bags,  
12 and then went inside -- went in between, I should say, the two  
13 buildings of [REDACTED] and [REDACTED].

14 MR. CUNNINGHAM: Excuse me one second, Your Honor.

15 Q. Detective Hartlove, I'm going to show you now a sequence  
16 of photographs. First of all, this is 28a/1. Do you  
17 recognize this particular photograph?

18 A. Yes. This is [REDACTED] where the white car is, and,  
19 if you come up further -- well, there is -- you've got the  
20 street sign right there. If you make the right-hand turn,  
21 that's [REDACTED]. Yeah, there we go. And, again, this  
22 is -- I forget which building the end building is over here.  
23 Well, this is -- if you can zoom in a little bit more, move it  
24 over to the left. Yeah. That's the area of [REDACTED].  
25 This side building is not [REDACTED], though. [REDACTED] is the next

1 building over, but this was just general pictures that I took  
2 just prior to Ventura pulling up in the Ford Explorer.

3 Q. And are these just a selection of the photographs that  
4 you took during the time you were surveilling this location?

5 A. Yes. As soon as he would pull up or people would get  
6 out, I would have my camera on -- I think it's sports mode or  
7 whatever, and I would just be clicking away.

8 Q. This is Government Exhibit 28a/2. Can you describe what  
9 in this picture prompted you to take this image?

10 A. Again, I noticed his van -- his Ford Explorer pulling up,  
11 makes a right-hand turn onto [REDACTED]. The street that's  
12 further down that he turned on is Hicks Avenue.

13 Q. Government Exhibit 28a/3?

14 A. This is the mail --

15 Q. What's this?

16 A. This is the subject who was standing out with the hat on,  
17 and he's the one that assisted the girls, you'll see shortly.  
18 That's the mailbox area, and, again, to the right is where [REDACTED]  
19 [REDACTED] is, the building.

20 Q. Government Exhibit 28a/4?

21 A. Yes. This is --

22 Q. And, by the way, are these photographs essentially in the  
23 sequence in which you took them?

24 A. Yes.

25 Q. So what's in this image?



1 A. Again, it's one of the females that exited his vehicle,  
2 and you'll see another one here.

3 Q. Now, let me just, before doing that, zoom in on one  
4 thing. The license plate that's on the vehicle, was that  
5 familiar to you at the time?

6 A. Yes. I know he was -- Mr. Ventura was changing tags a  
7 lot on his vehicle.

8 **MR. RUTER:** Objection. Objection to the  
9 characterization, Your Honor.

10 Q. Let me ask you this.

11 **THE COURT:** Sustained. Yes. Rephrase.

12 Q. Detective Hartlove, did you at some point in time look  
13 through the Motor Vehicle Administration records for Maryland  
14 regarding registration for the vehicles that you associated  
15 with Mr. Ventura --

16 A. Yes.

17 Q. -- in the operation of his brothels?

18 A. Yes.

19 Q. And were you able to ascertain that there were any  
20 changes in the registration of those vehicles?

21 A. Yes, they were changed.

22 Q. And, in terms of when a registration would change, would  
23 that sometimes result in a changed license plate?

24 A. Yes.

25 Q. Okay. I'm going to show you Government Exhibit 28a/5.

1 Would you continue your explanation of why you were taking  
2 these images.

3 A. Again, this is the second female that got out of his  
4 vehicle, and they have bags in their hands, and walk up  
5 towards [REDACTED].

6 Q. One of the things I neglected to ask you was: Do you  
7 remember what day of the week April 5th of 2010 was?

8 A. This was a Monday.

9 Q. Government Exhibit a/6, the next image in this sequence.

10 A. This is, again, the male helping or assisting the females  
11 with their bags and walking up to [REDACTED].

12 Q. Do you know the identity of any of the individuals in  
13 this photograph?

14 A. The gentleman with the hat was later identified as  
15 Jose Reyes or -- I think he gave a couple false names, too,  
16 but last name Reyes.

17 Q. Exhibit 28a/7, continue your description of what's the  
18 sequence of events here.

19 A. The vehicle stayed there for a moment, so I took  
20 pictures, and, as a gentleman, again, with the red shirt,  
21 white sleeve -- red shirt comes out, he gets into the  
22 passenger car, and puts the bag in the car as well.

23 Q. Government Exhibit 28a/8, where was that image taken?

24 A. This is right around the corner at Shoppers Food  
25 Warehouse at 264 Solomons Island Road.

1 Q. And is that in the Parole area of Annapolis, Maryland?

2 A. Yes.

3 Q. Near the Route 2, southbound, and Forest Drive area?

4 A. Yes.

5 Q. This individual that we see here with -- looks like a red  
6 shirt -- actually, let me zoom in -- with the white on the  
7 sleeve, is that the same individual who was in the preceding  
8 picture?

9 A. Yes.

10 Q. 28a/9?

11 A. This is German Ventura leaving Shoppers with a large bag  
12 of paper towels.

13 Q. Now, what is Government Exhibit 28a/10?

14 A. This is German Ventura inside the Shoppers observed to be  
15 purchasing condoms.

16 Q. Finally, Government Exhibit 28a/11?

17 A. Again, him coming out with a large bag of paper towels.

18 Q. And this is the last exhibit in this sequence of  
19 surveillance photos. What is that image?

20 A. Again, that's him heading to the area of -- back to

21 .

22 Q. Detective Hartlove, the next day for which I want to  
23 discuss with you surveillance activities was May 8th of 2010.  
24 First of all, do you recall what day of the week May 8th of  
25 2010 was?

1 A. May 8th was a Saturday.

2 Q. And did you set up surveillance on that day?

3 A. Yes.

4 Q. How was it that you were essentially directed, if you  
5 will, or what prompted you to surveil in a particular  
6 location?

7 A. I'm sorry. Say it again.

8 Q. Well, let's begin this way. Can you give us a synopsis  
9 of the surveillance that you or other officers undertook on  
10 May 8th of 2010.

11 A. Yes. May 8th at 4:40, I went out to the area of [REDACTED]  
12 [REDACTED] in Easton, Maryland, and set up surveillance  
13 there.

14 Q. What was it that prompted you to go to Easton, Maryland?

15 A. Again, having the -- the phone information and the  
16 location of Ventura's phone e-mailed to me, I noticed that he  
17 was traveling on Route 50 and heading over to Route 50; that,  
18 earlier in the day, he actually headed to Easton, and then  
19 actually headed back to Annapolis, and then, as he was heading  
20 back to Easton, I went up and sat in, did physical  
21 surveillance of the location he was prior to that.

22 Q. Prior to May 8th of 2010, had you had any information  
23 suggesting him operating a brothel or brothels in Easton,  
24 Maryland?

25 A. No.

1 Q. All right. I'm going to start with Government  
2 Exhibit 28b/1, and, similar to the last series of images,  
3 would you describe why you took this picture.

4 A. This is German Ventura's Astrovan, the same Astrovan that  
5 was down at the location of [REDACTED] when I -- when  
6 he was placed under arrest, that I did a walk around and found  
7 the van down there. It's pulling up to the area of [REDACTED]  
8 [REDACTED] in Easton, Maryland. It's got a mattress on --  
9 two mattress -- a mattress and a box spring on the top. He  
10 was the one driving, and he makes a right-hand turn. He goes  
11 down the street. He then turns around and pulls right next to  
12 [REDACTED].

13 Q. Okay. Government Exhibit 28b/2, this is simply the next  
14 photograph in the sequence of images.

15 A. Yes. That's him parking next to [REDACTED] and getting out of  
16 the vehicle.

17 Q. Are these images, by the way, also in -- essentially in  
18 time sequence that you took them?

19 A. Yes.

20 Q. Government Exhibit 28b/3, can you identify -- this was --  
21 can you identify who is in this picture?

22 A. Yes. The person that has the phone up to his ear, got a  
23 "Tap-Out" shirt written on the front, that's German Ventura.

24 Q. Did you ever identify the other person who is depicted in  
25 this photo?

1 A. No.

2 Q. Government Exhibit 28b/4, the next in these series of  
3 photographs, describe what's observed here.

4 A. Again, it was just individuals that started congregating  
5 around him, and he's -- appeared to make conversation with  
6 them, and he's just standing around.

7 Q. Approximately what time of the day was this?

8 A. I started the surveillance at [REDACTED] at 16:40, and  
9 I was out there for about four hours.

10 Q. For those who don't use the 24-hour clock, is that about  
11 4:40 in the afternoon?

12 A. 4:40, that's correct.

13 Q. Now, obviously these are pictures taken with a camera.  
14 Were you also watching him yourself physically?

15 A. Yes.

16 Q. Okay. Next in the sequence is Government Exhibit 28b/5.

17 A. Again, still Hispanic males standing around [REDACTED]  
18 [REDACTED], Easton. Again, this gentleman --

19 Q. This is 28b/6. I'm sorry.

20 A. This gentleman, again, carrying furniture from  
21 German Ventura's van up the stairway to the second floor of  
22 the apartment.

23 Q. Now, it appears that -- I assume the man you're referring  
24 to is this individual in the center of the photo?

25 A. Yes.

1 Q. And that appears that he's entering a doorway. Did you  
2 ever ascertain the physical layout of the unit there at [REDACTED]  
3 [REDACTED]?

4 A. Later on, yes, we did.

5 Q. Okay. Would you tell -- so it's known now, tell the jury  
6 essentially where that entryway led relative to this  
7 residential unit.

8 A. You mean describe how it's laid out, you're saying?

9 Q. Yes, please.

10 A. As I recall, again, you go up the steps. It opens up to  
11 like a little hallway. You go around to the front of the  
12 house. Obviously there is bedrooms. As you go up the steps  
13 and to the left a little bit, there was a -- I guess a little  
14 sitting area, and, again, towards the back of the house, there  
15 is a kitchen. Again, it's on the second floor --

16 Q. Okay. Let me move on, then, to Government Exhibit b/7.  
17 It may be a little easier to explain. In terms of this photo,  
18 one, what do you see in this image?

19 A. Again, there is Hispanic males helping take the  
20 mattresses, take it up that -- in the doorway, up the steps.  
21 If you notice, the gray up towards the top is the apartment  
22 itself. There is a bedroom -- front bedroom. I know that  
23 there was a bedroom up the front of here, and, again, towards  
24 the back of the house was the bathroom. The kitchen area and  
25 another bedroom was back on the back left.

1 Q. Okay. Exhibit 28b/8?

2 A. Again, just showing the intersection it's at, [REDACTED]  
3 [REDACTED] and [REDACTED] in Easton, Maryland.

4 Q. 28b/9?

5 A. Again, German Ventura then leaving the apartment, coming  
6 back out. He goes back and forth several times with  
7 furniture.

8 Q. 28b/10?

9 A. Again, Hispanic male helping carry the mattress --

10 Q. And --

11 A. -- or box spring up to --

12 Q. Approximately what was the time period over which you  
13 were taking these pictures beginning with, say, 28b/1 up to  
14 the sequence we're just seeing now?

15 A. Again, I was out there for four hours. I changed  
16 positions. I was in a covert vehicle. I changed positions,  
17 and then I took shots from up -- you know, opposite side of  
18 the street as well.

19 Q. Government Exhibit 28b/11.

20 A. Again, this was a little bit later in that four hours  
21 doing surveillance. This was when he was turning around.  
22 He -- after delivering -- after delivering the furniture, he  
23 then left out, and this is him returning.

24 Q. And the last image, Government Exhibit 28b/12?

25 A. This is, again, later part of it when he returned and him



1 getting out of the Chevy Astrovan.

2 Q. As a result of what you observed on May 8th of 2010, did  
3 you and other officers increase your law enforcement  
4 activities in the Easton area?

5 A. Yes.

6 **MR. CUNNINGHAM:** Your Honor, I have one area of  
7 relatively brief duration that I think I could inquire into  
8 before lunch.

9 **THE COURT:** Okay.

10 **BY MR. CUNNINGHAM:**

11 Q. Detective Hartlove, did you become familiar with the  
12 circumstances that led to the arrest of an individual named  
13 Luis Reyes on June 28th of 2010?

14 A. Yes.

15 Q. What was it that prompted his arrest?

16 A. Officers stopped him for a motor vehicle violation.

17 Q. Do you know where that stop occurred?

18 A. As I recall, it was in the area of the Jennifer Shop.

19 Q. I'm going to show you Government Exhibit 16a/1. Do you  
20 recognize that individual?

21 A. Yes. That's Luis Reyes. That's the person, again, with  
22 the hat on that was waiting for the girls from the April 5th.

23 Q. Did you learn whether Mr. Reyes had any name by which he  
24 was more commonly known?

25 A. Yes.

1 Q. What was that?

2 A. He went by a nickname Colmillo. It means fang.

3 Q. Now, when he was arrested, do you know if Mr. Reyes was  
4 searched?

5 A. Yes.

6 Q. I'm going to show you the next series of exhibits.

7 Government Exhibit 16a/2, do you recognize what that is?

8 A. Yes. That's the money that was on his person as well as  
9 a receipt, as well as business cards and identification, as  
10 well as a key chain. It was -- I think that's a registration.

11 Q. Government Exhibit 16a/3, is this more of the items that  
12 were on his person?

13 A. Yes. That was a -- change. The little white dispenser  
14 is a genitalia spray, and the lighter.

15 Q. Okay. Government Exhibit 16a/4?

16 A. Yes. This is the registration to the Nissan that he was  
17 operating, the two ID cards, and a Target receipt.

18 Q. Now, do you know if any phones were recovered from him  
19 when he was arrested?

20 **THE COURT:** Let's stop here, Mr. Cunningham.

21 Members of the jury, we're going to take the lunch  
22 break now. Please remember: Be back in the jury room at five  
23 minutes before 2:00 so we can get started at 2 o'clock. I  
24 need all of you back there at five minutes before 2:00. I  
25 can't get started unless I have all of you back, so, please,

1 five minutes before 2:00 so we can get started at 2:00.

2 Thank you.

3 **THE CLERK:** All rise. This Honorable Court stands  
4 in recess until 2:00 p.m.

5 (Jury excused.)

6 **THE COURT:** Okay. Counsel, we're resuming at  
7 2:00 p.m. Please leave the inner parts of the tables clear  
8 for the 1 o'clock, please.

9 **MR. CUNNINGHAM:** Yes, sir.

10 (Luncheon recess -- 12:55 p.m.)

11 (Afternoon session -- 2:00 p.m.)

12 **THE CLERK:** All rise. This Honorable Court now  
13 resumes in session.

14 **THE COURT:** Ready for the jury, counsel?

15 **MR. RUTER:** Your Honor, before we call the jury out,  
16 if you'll recall, at the beginning of the proceedings this  
17 morning, Mr. Ventura had requested to address the Court on  
18 issues that he thought were important that I was not  
19 adequately bringing to the Court's attention. I wonder if the  
20 Court would entertain hearing Mr. Ventura's request, I think,  
21 Your Honor, is the best way to put it, and, if the answer is  
22 "yes," then we'd ask that Detective Hartlove be excused --

23 **THE COURT:** At the end of the session. Again, I'm  
24 not keeping a crowd of jurors waiting while we do peripheral  
25 matters, and --

1           **MR. RUTER:** And, Your Honor, that's fine.

2           **THE COURT:** I will give him an opportunity to be  
3 heard, and I will listen fully and with an open mind to what  
4 he has to say, but I'm not interrupting the session to do it.  
5 We're --

6           **MR. RUTER:** My apologies. I thought the Court said  
7 after the lunch break, he would do that. That's why I brought  
8 it up now, Your Honor, so my mistake. Thank you, Your Honor.

9           **THE COURT:** Let me make it clear: For the remainder  
10 of the trial to the extent possible, I will not break up the  
11 trial day for any interruptions. We have a limited amount of  
12 their time and patience, and I like not to waste it.

13                     Ask the jurors to join us, please.

14           **CSO:** Bring them out, sir?

15           **THE COURT:** Jurors, yes.

16                     (Jury enters.)

17           **THE COURT:** Thank you. Please be seated.

18                     Please remind the witness.

19           **THE CLERK:** I'd like to remind you: You're still  
20 under oath.

21           **THE WITNESS:** Yes, ma'am.

22           **MR. CUNNINGHAM:** Thank you, Judge Quarles.

23           **BY MR. CUNNINGHAM:**

24           Q. Detective Hartlove, before we broke, we were talking  
25 about the June 28th, 2010 arrest of Luis Reyes. I'm going to

1 put Government Exhibit 16a/4 back on the screen. Actually, I  
2 don't know if it's legible. Can you read the information on  
3 the MVA registration certificate from your position?

4 A. That's better. Yes. It was -- indicates a Nissan  
5 four-door -- I can't see the further tag, but it's listed to  
6 Jose Melvin Bonilla at [REDACTED], Easton,  
7 Maryland, 21601, and the end of the VIN number ends in 3130.

8 Q. Now, was that vehicle a vehicle that you associated with  
9 Mr. Ventura's brothel operations?

10 A. Yes.

11 Q. And you mentioned that --

12 **MR. RUTER:** Your Honor, I object to the  
13 characterization.

14 **THE COURT:** Sustained.

15 **MR. RUTER:** Move to strike.

16 **THE COURT:** The jurors will disregard the  
17 characterization of the brothel operation.

18 **BY MR. CUNNINGHAM:**

19 Q. When Mr. Reyes was arrested on that day, was he under  
20 surveillance by you and other officers?

21 A. Yes.

22 Q. And did you essentially cause the police officer to stop  
23 him?

24 A. Yes.

25 Q. And what was the purpose of that?

1 A. The purpose was to identify him -- we only knew him by  
2 nickname -- and to start identifying people involved in the  
3 brothels.

4 Q. Before stopping him, had you determined that there was  
5 some sort of violation that would justify a traffic stop?

6 A. Yes. There was a repair order -- a light that was out on  
7 the rear of the vehicle.

8 Q. Now, you mentioned before that, in addition to the items  
9 that we showed pictures of, there were certain cell phones  
10 that were on his person.

11 A. Yes.

12 Q. Were they seized?

13 A. They were not seized.

14 Q. And why was that?

15 A. We -- they were not seized because, again, we -- they  
16 all -- either the money -- everything that was on the  
17 property, we just photographed, and the phones' data were  
18 collected and they were given back, because we didn't want  
19 to -- we were still in the investigation part of it, so we  
20 didn't want to tip them off that we were observing him and  
21 watching what's going on.

22 Q. You said you collected the data from the phones. Did you  
23 identify the numbers assigned to those phones?

24 A. Yes.

25 Q. And what were the phone numbers assigned to the phones in

1 Mr. Reyes' possession?

2 A. The phone number was [REDACTED]-9346. That was a Motorola  
3 I-335, and a Virgin Mobile phone, which was [REDACTED]-6451.

4 Q. And did you subsequently do further sort of analysis or  
5 correspondence kind of work with regard to those numbers?

6 A. Yes.

7 Q. Okay. As a result of the surveillance you've discussed  
8 or you earlier discussed at Easton, did you and other officers  
9 increase the investigative activity at that location?

10 A. Yes.

11 Q. And did there come a time when you essentially took down  
12 the operation at that location?

13 A. Yes.

14 Q. What was it that precipitated that?

15 A. The information was that a underage --

16 **MR. RUTER:** Objection, Your Honor.

17 **THE WITNESS:** -- girl --

18 **THE COURT:** Basis?

19 **MR. RUTER:** Relevance. Relevance.

20 **THE COURT:** Overruled.

21 **THE WITNESS:** The information came in that a  
22 underage girl was operating there as a prostitute.

23 **BY MR. CUNNINGHAM:**

24 Q. And, as a result of that, did you at least conclude that,  
25 with regard to that location, you needed to take more

1 aggressive law enforcement action?

2 A. Yes.

3 Q. And did you and other officers do that on July 7th of  
4 2010?

5 A. Yes.

6 Q. Tell the jury, please, essentially what it was you did at  
7 that location on that day.

8 A. A search and seizure warrant was obtained -- a warrant  
9 was obtained through a Talbot County Circuit Court judge, and  
10 we did a -- obtained a -- did a search and seizure warrant  
11 there, which, again, we went there and basically knocked down  
12 the door and went inside and arrested the individuals.

13 Q. And were photographs taken of the location as the search  
14 was being executed?

15 A. Yes.

16 Q. Before going through the photographs, were a lot of items  
17 seized and retained as potential evidence?

18 A. Yes.

19 Q. Okay. I'm going to start with Government Exhibit 17b/1,  
20 and I just want you to tell the jury, please, what's depicted  
21 in the photographs that I'm going to put up on the screen.

22 A. Again, this is a photograph of the front door of [REDACTED]  
23 [REDACTED], Easton, Maryland.

24 Q. And 17b/2?

25 A. This area is as you reach the top of the steps. It's off



1 to the left a little bit. It's a little sitting area that --  
2 on the top floor of the apartment.

3 Q. Now, I neglected to start with: When you went to execute  
4 the search warrant, did you discover any people on the  
5 premise?

6 A. Yes.

7 Q. Can you describe them.

8 A. Again, there were two males and one female.

9 Q. Do you recall the identity of the two men?

10 A. Yes. Excuse me one moment. It was Wilber Alejandro,  
11 A-L-E-J-A-N-D-R-O, Herrera Aranda, A-R-A-N-D-A, and then the  
12 second male was Isidro Jasmin, J-I-M-E-N-E-Z, Sanchez, and the  
13 female was Wendy Reyes Garcia.

14 Q. I'm going to show you now Government Exhibit 17b/3.  
15 Please describe what's shown in this image.

16 A. This is the front left bedroom if you're looking at the  
17 apartment up top, just an open room with the mattress.

18 Q. Same question that I asked you regarding earlier  
19 searches: Prior to taking any of these photographs, did you  
20 or other officers move any of the items of furniture or any of  
21 the items that are depicted in any of the pictures?

22 A. No.

23 Q. 17b/4?

24 A. This is the bedroom -- if you're looking at the front of  
25 the building, it's off to the right up top, top floor, has the

1 air conditioning in the window.

2 Q. 17b/5?

3 A. This is a bedroom back towards the back left of the  
4 apartment, more so on the side of the building.

5 Q. b/6?

6 A. Again, this was just pictures of condoms that were -- I  
7 don't know if -- exactly where it was. If you could zoom out  
8 a little bit. I don't know -- it looked like it was inside  
9 the cabinet drawer.

10 Q. 17b/7?

11 A. This was, you know, documentation that was seized,  
12 Jose Reyes, given the address [REDACTED], Easton,  
13 Maryland, and an Easton Utility electric bill.

14 Q. And all of this came within [REDACTED]?

15 A. Yes.

16 Q. 17b/8?

17 A. Again, this is obviously currency and a business card,  
18 prostitution business card, with [REDACTED]-43 -- let me see  
19 that -- 4330.

20 Q. Can you see the number in the image?

21 A. No. Just going -- looking at my report, it --

22 Q. Okay. If you'll look at the image, can you see the card  
23 you're referring to?

24 A. Yeah. [REDACTED], and it's a 46, and then it's missing the  
25 0.

1 Q. Detective Hartlove, do you know whose wallet this was?

2 A. I believe it came from one of the males. I don't know if  
3 it's further image or not.

4 Q. 17b/9?

5 A. These were playing cards that were in the little sitting  
6 room, I believe.

7 Q. 17b/10?

8 A. This is another room near the kitchen area with the  
9 machete sticking on top of the dresser.

10 Q. Now, Detective Hartlove, I'm going to hand you  
11 Exhibit 17i. Is this the same item that is depicted in this  
12 picture?

13 A. Yes.

14 Q. Okay.

15 A. Yes.

16 Q. And we don't need to take it out, but have you taken it  
17 out of the sheath?

18 A. No, I haven't.

19 Q. Okay. You haven't examined this -- what this is?

20 A. I know what it is. It's a machete with a very sharp  
21 blade, yes.

22 Q. Okay. 17b/11, who is this an image of?

23 A. That was the female who identified herself at the time as  
24 Wendy Reyes Garcia.

25 Q. Detective Hartlove, you indicated that there were a

1 number of items that were seized at that location. I'm going  
2 to actually go through -- somewhat difficult to -- actually,  
3 I'm going to hand these to you so you can see. These are a  
4 number of phones marked sequentially 17c/1 through c/9. Can  
5 you look at those, please.

6 A. Yes.

7 Q. And can you confirm that there are nine cell phones in  
8 there?

9 A. Nine cell phones, that's correct.

10 Q. Were these seized from individuals, or from within the  
11 location?

12 A. They were seized from, I believe -- the males did have a  
13 phone on them, but within the location and on the males.

14 Q. And did you examine these phones to find out what numbers  
15 were assigned to them?

16 A. I did.

17 Q. And, subsequently, do you know if any additional  
18 examination -- for example, like a Cellebrite examination --  
19 was performed to extract additional data?

20 A. It was.

21 Q. And, for purposes here, is it accurate that your  
22 colleague, Agent Kelly, performed most of the Cellebrite  
23 examinations on the phones that were seized?

24 A. Yes.

25 Q. Okay. Detective Hartlove, I'm going to hand you boxes

1 that are marked Government Exhibit 17d.

2 A. Yes.

3 Q. Do you recognize what those are?

4 A. Yes. These are the business cards from that location of  
5 [REDACTED].

6 Q. Now, did you go through individually and essentially  
7 count the number of business cards in each of those boxes?

8 A. No, I did not.

9 Q. Approximately how many cards are retained in each of  
10 those boxes?

11 A. I would estimate it would be maybe a thousand, and  
12 then -- in each box.

13 Q. I'm going to put Government Exhibit 17e on the screen and  
14 ask you to identify this, please.

15 A. This is, again, a Easton Utilities to [REDACTED]  
16 [REDACTED].

17 Q. And, again, you see the name on this one?

18 A. Yes. Jose Reyes. The date says it's due 7/1/2010.

19 Q. 17g -- exhibit label is at the top -- can you tell the  
20 jury, please, what this document is?

21 A. Yes. This is a tally sheet -- prostitution tally sheet.  
22 Little hash marks are the gentlemen that been serviced, and  
23 you mark them down.

24 Q. What is 17h?

25 A. This was also -- seized from there was a traffic signal

1 traffic violation, and it's from the vehicle -- it's from  
2 Prince George's County, and it's sent to the registered owner  
3 of the vehicle, which is Jose Melvin Bonilla-Lago, and that's  
4 to the Nissan. It should have a tag number down there as  
5 well -- 7 George Charles -- Charles David 47.

6 Q. Was that the vehicle that Mr. Reyes was operating when he  
7 was arrested?

8 A. Yes.

9 Q. Did you ever find that vehicle at another location  
10 subsequently during your investigation?

11 A. Yes.

12 Q. When was that?

13 A. Later on, I found it at Mr. Ventura's home.

14 Q. Was that on the November 15th, 2010 day when the searches  
15 and other arrests were executed?

16 A. It was not on that day, no. It was on one of the  
17 surveillance days that --

18 Q. Okay. We'll move on, then.

19 Let me show you 17j. Was this document also at [REDACTED]

20 [REDACTED]?

21 A. Yes. Easton Utility connect meter, again, registered in  
22 the customer to Jose Reyes from, again, Easton Utility.

23 Q. This is Government Exhibit 17k. The top part of it, do  
24 you recognize what this document is?

25 A. Yes. Found this inside. This was a lease rental

1 agreement, deposit receipt, and it's listed to Jose A. Reyes,  
2 signed down there by the renter. I think it's Norris Taylor,  
3 and it's dated at the bottom as well.

4 Q. I have Government Exhibit 17f.

5 A. Again, this was a piece of paper that contained a tally  
6 sheet on it.

7 Q. Do you remember where this was located in [REDACTED]?

8 A. Most of the material was found in that living -- the  
9 little sitting area as you go to the top of the steps to the  
10 left, but, again, I'd have to look at the -- where it was  
11 packaged at.

12 Q. Now, I'm going to hand you a box that has been marked  
13 171. Rather than pull the individual items out, I'm going to  
14 hand it over to you and ask if you'll examine the contents and  
15 describe for the jury, please, the contents of that box.

16 A. Yeah. These are -- these are several boxes of Lifestyle  
17 condoms, KY jelly. Most of these boxes were recovered by  
18 Agent Kelly in the -- off the bathroom area. They have a  
19 little attic, and -- or, you know, it's a attic where  
20 insulation and all, and they were mostly discovered in there.  
21 Some boxes are filled. Some boxes are empty. And, again,  
22 that's where most of the items were recovered from.

23 **MR. CUNNINGHAM:** Your Honor, may Detective Hartlove  
24 step down and take the box over closer to the jury for their  
25 examination?

1                   **THE COURT:** Yes.

2                   (Government Exhibit 17l displayed to the jury.)

3                   **BY MR. CUNNINGHAM:**

4                   Q. Detective Hartlove, I'm going to hand you a small little  
5 plastic case, Government Exhibit 17o, and I'll recover 1. Do  
6 you recognize that box?

7                   A. Yes. This was a box that was recovered from within the  
8 residence as well. It's got a -- a statute of -- it's a Santa  
9 Muerte. It's a -- it's basically a -- a -- in Hispanic  
10 community, they pray to it. They -- sometimes they give money  
11 to it. They -- it's usually also referred to as the angel of  
12 death. They usually write sayings or who they're against or  
13 things like that. There is also a bundle full of the same  
14 business cards -- prostitution business cards. Those numbers  
15 on there indicate [REDACTED]-9346 as well as [REDACTED]-8649, and  
16 then there was other additional business cards in there  
17 stating [REDACTED]-4630.

18                  Q. And, for future reference, did you record those  
19 numbers --

20                  A. Yes.

21                  Q. -- as part of your telephone analysis?

22                  A. Yes. And I, again, recognized some of those numbers.

23                  Q. I'm going to hand you Government Exhibit 17m, and would  
24 you describe for the jury what that is, please.

25                  A. Again, another large knife, machete type item that was



1 recovered within the residence as well.

2 Q. Do you know where that was recovered?

3 A. I'd have to look at the photos to give you exact  
4 location. I don't.

5 **MR. CUNNINGHAM:** Your Honor, may Detective Hartlove  
6 step down and likewise publish this exhibit to the jury at  
7 this time.

8 **THE COURT:** Yes.

9 **MR. CUNNINGHAM:** Detective Hartlove, if you'll step  
10 down. You can take the exhibit closer to the jury and remove  
11 the blade from the sheath.

12 (Government Exhibit 17m displayed to the jury.)

13 **MR. CUNNINGHAM:** And, while you're there, Detective  
14 Hartlove, let me hand you Government Exhibit 17i and ask you  
15 to do the same thing.

16 (Government Exhibit 17i displayed to the jury.)

17 **BY MR. CUNNINGHAM:**

18 Q. Finally, Detective Hartlove, let me put 17n on the  
19 screen, and would you just quickly describe what this exhibit  
20 is.

21 A. Again, these are playing cards, again, used as chips for  
22 items to give over to the customers and then also given to the  
23 women, and women then give them back over to describe or to  
24 tell how many men they've been with so they could get paid.

25 Q. Let me continue with the surveillance activity you

1 described some of. Did you and other officers conduct  
2 surveillance on July 12th of 2010?

3 A. Yes.

4 Q. And can you provide a synopsis of the surveillance  
5 activity you undertook on that date.

6 A. We conducted physical surveillance in the area of Riggs  
7 Avenue. We observed --

8 Q. And where is Riggs Avenue? Excuse me.

9 A. I'm sorry. It's in Hyattsville area, up near University  
10 Boulevard. We --

11 Q. I'm going to show you a series of photographs and ask if  
12 you took them or if you can identify what's shown in these  
13 images. First is Government Exhibit 28d/1. Is this an image  
14 from the surveillance undertaken on that day?

15 A. Yes. This was in the area of Riggs Avenue. It was  
16 obviously a business area, and this was, again, just a photo  
17 that I've taken where German Ventura was operating his green  
18 Ford Explorer, and there was nobody in the vehicle except him.

19 Q. Next image, 28d/2, is that a picture that actually -- has  
20 a glare on it, but is that a picture of the same green  
21 vehicle?

22 A. That is the same green vehicle heading down Route 95.

23 Q. Is this Route 95 in Prince George's County?

24 A. I didn't -- I know it went around -- I know it went down  
25 95, but I don't know in particular where.

1 Q. Government Exhibit 28d/3?

2 A. Again, German Ventura at this point heading down to  
3 Norfolk, Virginia Beach, and, at this time, again, we observed  
4 a female in the vehicle when it passed our car.

5 Q. You earlier testified that he was alone at the time of  
6 the first image. Had you seen, at any point during your  
7 surveillance, a time when a female joined him in the car?

8 A. Shortly after I took the picture back at that complex at  
9 Riggs Avenue and University, he then drove into the area  
10 behind Keokee Street -- it's across the street from a fire  
11 station -- and then he emerged out from there, and a female  
12 was with him.

13 Q. Government Exhibit 28d/4, where is this picture taken?

14 A. This is down in Virginia at a rest stop off -- I don't  
15 know if it was 95 or that Route 664. I don't remember.

16 Q. I'd like to ask you if you recall what day of the week  
17 July 12th, 2010 was?

18 A. It was a Monday.

19 Q. At this point in time in your investigation, had you  
20 determined a certain sort of pattern or sequence of moving the  
21 operation of the brothel business?

22 A. Yes.

23 Q. And what was that?

24 A. Again, they would -- on Mondays at a -- certain times,  
25 particular around 10:00, 11 o'clock, they would pick up the

1 girls. Most of the time it was at the McDonald's in  
2 Riverdale, or they would transfer the girls one -- a couple  
3 girls would get out of one car. The other girls would get out  
4 of the other car, and they would switch, and then they would  
5 go to certain houses.

6 Q. Government Exhibit 28d/5?

7 A. This is, again, a picture of German Ventura at the rest  
8 stop off of 95 or that Route 664, and a female was getting in  
9 the car as well.

10 Q. And is this down in Virginia?

11 A. Yes.

12 Q. This is Government Exhibit d/6 -- 28d/6?

13 A. This was further down in Virginia, close to Portsmouth.  
14 Again, we stopped at a convenience store, gas stop.

15 Q. 28d/7?

16 A. Again, I -- the traffic was backed up. He turned off,  
17 and they went to a convenience store. This is a -- again, the  
18 picture of the female that was with him, and him.

19 Q. And 28d/8?

20 A. This was down in Portsmouth. He went to a particular  
21 address, and this was afterwards where he went to a Chinese  
22 food restaurant.

23 Q. And, finally, the last image in this sequence, 28d/9?

24 A. He went to a convenience store at this point and made a  
25 purchase.

1 Q. Do you recall next conducting surveillance on August 2nd?

2 A. Yes.

3 Q. And can you give a brief synopsis, please, of the  
4 surveillance activity on that date.

5 A. On this day, I sat and started surveillance at an address  
6 he was at. It was [REDACTED] at [REDACTED]. Briefly, he  
7 had -- a female with a blue shirt got in the car. They went  
8 up to the same area, [REDACTED] and Union. They -- she went  
9 inside. He then talked to an individual in a white car. Then  
10 we lost surveillance on him -- physical surveillance. I then  
11 sat back up at [REDACTED]. It was still early, so I  
12 figured he would come back.

13 He did come back. There was a Toyota Highlander,  
14 Florida plates, that pulled up next to his car as he pulled  
15 into the -- a -- he pulled into the driveway. The lady with  
16 blondish type hair, Hispanic female with a light color top --  
17 I think it was pink -- she got out of the Highlander, grabbed  
18 a duffle bag.

19 Meanwhile, German Ventura pulls in with a silver  
20 Expedition, and he opens up the trunk. She grabs a suitcase  
21 out of the car and proceeds over to the rear of  
22 German Ventura's car, and he grabbed a suitcase from her,  
23 placed it in the back, and she proceeded to the passenger side  
24 of the car, entered, and he went to the driver's side. He  
25 backed out of the driveway, proceeded on [REDACTED] -- I'm

1       sorry -- not [REDACTED]; [REDACTED], and proceeded to drive down  
2       the street.

3       Q.   And did you terminate your physical surveillance at that  
4       time?

5       A.   I -- I followed him a little bit, and then I terminated  
6       after that, yes.

7       Q.   Let me show you -- again, by showing you Government  
8       Exhibit 28e/1. Is this the beginning of the photo sequence?

9       A.   Yes.

10      Q.   And do you remember what day of the week this was?

11      A.   This was a Monday, August 2nd.

12      Q.   Is that --

13      A.   It was approximately at 10 o'clock.

14      Q.   Is that Defendant Ventura in the middle of this picture?

15      A.   Yes, in the black shirt, and then the female is in the  
16      blue.

17                 Him about to enter the silver Expedition.

18      Q.   This is 28e/2?

19      A.   Yes.

20      Q.   28e/3, please describe this.

21      A.   Again, a Cash Depot is the place over there on the  
22      yellow. Again, the female went out, got -- went to the Cash  
23      Depot. He went down and talked with the gentleman in the  
24      white car.

25      Q.   And, the white car you're referring to, is that this car?

1 A. Yes.

2 Q. 28e/4, is this the same white car?

3 A. Yeah. It appears that he's having a conversation with  
4 the driver.

5 Q. I take it you didn't hear any of the conversation?

6 A. No.

7 Q. Did you ever identify who was operating the white car?

8 A. I ran a tag, but I didn't follow up on it.

9 Q. Okay. Government Exhibit 28e/5?

10 A. This was, again, at 13:45. This was the tan Highlander  
11 pulling in with Florida plate, and Mr. Ventura.

12 Q. Describe what's in Government Exhibit 28e/6.

13 A. Again, she's -- she got out of the driver's seat, went to  
14 the rear, grabbed a bag. Meanwhile, you'll see Ventura -- him  
15 go to the rear of the silver Expedition, open it up, and  
16 she'll give the bag over to him.

17 Q. Okay. This is 28e/7.

18 A. That's her about to pull the bag out, and him waiting.

19 Q. 28e/8?

20 A. Yes. She's got a duffle bag or a suitcase type, and  
21 handed over to him. He puts it in the rear of the trunk.

22 Q. Government Exhibit 28e/9?

23 A. Again, she left the vehicle there. He backed out, and  
24 they proceeded down the roadway.

25 Q. Is this a shot of the rear of the vehicle from which she

1 got out?

2 A. Yes.

3 Q. Did you ever identify the woman depicted in these latter  
4 images with the pink top on?

5 A. Yes. She's been identified.

6 Q. And what's her name?

7 A. Bridgett -- I forgot the last name.

8 Q. Okay.

9 A. First name Bridgett.

10 Q. All right. And, finally, Government Exhibit 28e/11?

11 A. Again, when I went back and stopped surveillance at  
12 [REDACTED] and -- I went back to [REDACTED] just, again,  
13 to survey the area, and I took additional photos. That is  
14 Luis Reyes getting out of a -- I believe it's a Nissan Maxima.

15 Q. Did you next conduct surveillance operations on  
16 September 13th?

17 Actually, let me interject on there. Are you aware  
18 that there were surveillance that was conducted on  
19 August 30th?

20 A. Yes.

21 Q. And was that done by Detective Truitt?

22 A. Detective Truitt and myself, yeah.

23 Q. Okay. And where was that surveillance performed?

24 A. Again, Mr. Ventura left his home in the gray Chevy  
25 Astrovan. He headed into D.C. I'm not familiar with -- too



1 much with D.C. Detective Truitt was a little bit more  
2 familiar with D.C. than I was, and he took surveillance  
3 photos.

4 Q. First is Government Exhibit 28h/1. Do you recognize this  
5 as the beginning of the surveillance photos from that day?

6 A. Yeah. Again, I believe, this day, he was at a phone  
7 store, and he started off there.

8 Q. Next is Government Exhibit 28h/2.

9 A. This is photos from Detective Truitt.

10 Q. Now, this vehicle, had you seen that vehicle before?

11 A. It's the Chevy Astrovan belonging to German Ventura. He  
12 painted it gray.

13 Q. Did you examine it enough to know that it had been  
14 painted subsequent to previous observation of that same  
15 vehicle?

16 A. Still had the same tag on it, and, later on, we examined  
17 the VIN, and it was the same VIN.

18 Q. Okay. Was this the van that we saw in the images from  
19 the May 8 surveillance when it had the mattress on top?

20 A. Yes.

21 Q. Government Exhibit 28h/3?

22 A. This is a female who he dropped -- dropped off and went  
23 inside as well, went to the Washington Adventist Hospital at  
24 7600 Carroll Avenue in Takoma Park. That's the waiting room  
25 for the emergency room.

1 Q. Are these all pictures of the same woman?

2 A. Yes.

3 Q. Did you identify that woman?

4 A. Yes.

5 Q. Who is that?

6 A. Rebeca Dueñas Franco.

7 Q. Another picture of the same person?

8 A. Yes.

9 Q. Likewise is 28h/5, and this is 28h/6, all images of  
10 Ms. Dueñas Franco?

11 A. Yes.

12 Q. Government Exhibit 28h/7?

13 A. Again, this is a photo that I took. This was early in  
14 this -- that day. This is where the phone business is off to  
15 the right, so this is at the beginning of the surveillance  
16 that day.

17 Q. 28h/8, what is that picture?

18 A. This one -- right in this area here is his van. It's  
19 at -- that's at the -- that's at the hospital parking lot.

20 Q. 28h/9?

21 A. Again, just a different -- different vantage point, but  
22 that's still at the hospital parking lot.

23 Q. And 28h/10?

24 A. This was a photo just taken at the physical surveillance.  
25 We went by [REDACTED], and his Ford Explorer was sitting

1 out in front.

2 Q. And this is Government Exhibit 28h/11.

3 A. Again --

4 Q. Similar to the first picture.

5 A. Right. There is his van over there, and I believe it's a  
6 phone store he went into. Yes.

7 Q. Now, by this point in time, had you established some  
8 relevance to your investigation to the [REDACTED]  
9 location you identified?

10 A. Yes.

11 Q. And what was that?

12 A. We learned that this was the location where Rebeca Dueñas  
13 Franco lived in the basement area.

14 Q. Subsequent to that, was there surveillance on  
15 September 13th, 2010?

16 A. Yes.

17 Q. And, if you could just briefly synopsise, what was the  
18 surveillance that was conducted that day?

19 A. Just look at my notes real quick.

20 (Witness reviewing document.)

21 A. Detective Truitt and Detective Reid assisted me on this  
22 day. Again, it was a Monday, September 13th. We started --  
23 we began surveillance at 8:12 in the morning, and we started  
24 doing the surveillance at his house. I was at the -- lives on  
25 a hill. I was at the bottom portion of the hill. Truitt and

1 Reid were at the top portion, and we started physical  
2 surveillance at that point.

3 Q. Generally speaking, what locations did you conduct  
4 surveillance that day?

5 A. Again, we went to the McDonald's at Riverdale -- in  
6 Riverdale, Maryland, and we then proceeded to [REDACTED]  
7 where he dropped off a female. Detective Truitt and Reid,  
8 they were in the same vehicle. As they were heading back to  
9 Annapolis, their vehicle, they believed it was compromised, so  
10 they --

11 MR. RUTER: Objection.

12 THE COURT: Basis?

13 MR. RUTER: It's the belief that they were  
14 compromised.

15 THE COURT: Okay. Overruled.

16 BY MR. CUNNINGHAM:

17 Q. So continue. What did they do at that point?

18 A. They, again, said that they were going to pick up another  
19 vehicle. They believed that they were spotted and that German  
20 Ventura recognized, you know, that he was being followed. So  
21 I was in a covert vehicle at [REDACTED]. I observed him  
22 drop off a woman very quickly, again, following him from this  
23 morning. I knew that he also had his child in the car.

24 I -- as he left out of [REDACTED], I observed the  
25 child in the back. He then proceeded, again, out to Route 2,

1 picked up 97 and headed north on 97, where I began to follow  
2 him. Detective Reid and Truitt obtained another surveillance  
3 vehicle, and they proceeded to my location, which we headed up  
4 97, went to 66 -- I'm sorry -- 695 over to Route 2, Ritchie  
5 Highway, and he picked up the -- he went down towards, you  
6 know, Patapsco Avenue, and then picked up that little ramp to  
7 go through the tunnel. He went through the tunnel and  
8 proceeded to the bus station in Baltimore.

9 Q. Do you know if any surveillance was conducted of him  
10 going anywhere from Baltimore?

11 A. He was observed picking up a female at the bus station,  
12 and then, from there, attempts were -- tried to follow him  
13 back, but we lost visual surveillance.

14 Q. Let me show you Government Exhibit 28f/1. Is this the  
15 beginning of the sequence of surveillance photos from that  
16 day?

17 A. Yeah. I went by [REDACTED], just to took some overall  
18 photos of the [REDACTED] area. It was early in the  
19 morning.

20 Q. Government 28f/2?

21 A. This is, again, a little bit early in the morning, but,  
22 you know, more so around, I want to say, 9:00 or 10:00, and  
23 this is a picture of -- Ventura's house is right here, and  
24 here, his -- the van. The tan vehicle is over across the  
25 street parked where you can't see it, because it's blocked by

1 a couple of vehicles, and I believe that this other vehicle  
2 back here, we discovered was his, later on.

3 Q. 28f/3?

4 A. This was him leaving his house just shortly before he  
5 left and got in the car. Looked like he was on a cell phone,  
6 but he came, walked over to the tan vehicle, which is over in  
7 that direction, and then walked back.

8 Q. 28f/4?

9 A. Again, just a different vantage point, looking up at  
10 his -- looking down at his house, and, again, his two vehicles  
11 parked out in front, and, again, the tan vehicle is behind  
12 this car.

13 Q. 28f/5?

14 A. This is him at the -- leaving the McDonald's, going  
15 through the McDonald's. He picked up a female at the  
16 McDonald's, as she got out of the green van.

17 Q. 28f/6?

18 A. This is a photo from Detective Truitt. Again, a green  
19 van that she got out of was that conversion van.

20 Q. 28f/7?

21 A. Again, this was still in the McDonald's parking lot, you  
22 know, female sitting in the passenger seat.

23 Q. 28f/8?

24 A. This is proceeding back on Route 50 going eastbound  
25 towards Annapolis. Again, I darted ahead of him and set up

1 surveillance as he came into Annapolis.

2 Q. 28f/9?

3 A. Again, this is a -- I got out to [REDACTED] and just  
4 took overall photos of people standing around.

5 Q. And 28f/10?

6 A. This is him coming down [REDACTED] from Dorsey Avenue  
7 off of West Street.

8 Q. Government 28f/11?

9 A. This is the -- again, the same Hispanic male in the blue  
10 appeared to be waiting for him, and the female getting out of  
11 the vehicle.

12 Q. Another shot, 28f/12?

13 A. Again, at the same time, he's -- quickly got her out, and  
14 then he pulled off, and the female and the Hispanic male  
15 walked up towards [REDACTED].

16 Q. 28f/3?

17 A. This is him pulling off. Again, at this time, you know,  
18 again, Ricky Truitt is telling me that he's going -- you know,  
19 that he's -- his vehicle was compromised, and he's, again,  
20 pulling off.

21 Q. I misspoke. This is Government 28f/13.

22 And 28f/14?

23 A. Again, this is, I believe, later on when he was heading  
24 back from the bus station in Baltimore heading down 295.

25 Q. 28f/15?

1 A. Again, this, we discovered later on. When I get out to  
2 there, to [REDACTED], I just took overall pictures, but we  
3 discovered later on that this vehicle, the Toyota, was also  
4 being -- doing or involved in the business later on.

5 Q. Which vehicle are you referring to? Is it the one in the  
6 center --

7 A. Oh, I'm sorry. (Indicating).

8 Q. Okay. 28f/16, what is this a photo of?

9 A. At this point, too, we're realizing that he opened up  
10 another home in Annapolis for his -- for the brothel, and this  
11 was [REDACTED].

12 Q. And that's the location that isn't marked on the map up  
13 there but you got up and pointed to yesterday?

14 A. That is correct.

15 Q. 28f/17?

16 A. This was him later. I -- when he -- coming back from  
17 Baltimore, we lost physical surveillance on him. I went out  
18 and sat out at [REDACTED] and took photos, and noticed  
19 his vehicle showed up there. I did not see the female get out  
20 of the car, but later on he emerged from [REDACTED] and had his small  
21 kid, and the gentleman in the red shirt came out with him.

22 Q. And, finally, in this sequence, 28f/18?

23 A. Continuing to watch the area that day, I noticed a  
24 person, again, who we began familiar with by doing that  
25 traffic stop, which was Colmillo, Fang, Jose Reyes -- Luis



1 Reyes, and this was a back entrance, the back way -- you can  
2 go into the back way of [REDACTED] area, rear door. It's a  
3 slider.

4 Q. The last day of surveillance I want to address with you  
5 is September 19th, 2010 -- September 19th and 20th. Can you  
6 give just a brief synopsis, please, of surveillance activities  
7 on those dates.

8 A. Well, the 19th was a Sunday. We just basically -- doing  
9 physical surveillance, we observed him in the area of the  
10 Jennifer Shop, which is a area right up the street from  
11 [REDACTED]. He was in a vehicle, being the silver  
12 Expedition. The tan Nissan or --

13 Q. And what location did you surveil him on that date,  
14 Detective Hartlove?

15 A. That was Sunday, the 19th?

16 Q. Yes.

17 A. Do you want me to continue?

18 Q. I want to know what location the surveillance was.

19 A. Oh, I'm sorry.

20 Q. If it was more than one location, just go Annapolis or  
21 wherever --

22 A. Yes. I'm sorry. We began surveillance at [REDACTED]  
23 [REDACTED]. We then conducted surveillance at the Jennifer Shop  
24 as well. On the 20th, surveillance started at the McDonald's  
25 in Riverdale. Agent Ed Kelly assisted. Again, two Hispanic

1 females entered the vehicle.

2 Q. Let me interrupt you. Just summarize: Where was the  
3 surveillance on the 20th, please? Just the location.

4 A. I'm sorry. On the 20th?

5 Q. We'll go through the images. I just want you to  
6 summarize the locations of the surveillance to sort of set the  
7 stage here.

8 A. I'm sorry. It was Riverdale McDonald's, Anita Grocery  
9 Shop in Annapolis, and then also Upper Marlboro at the address  
10 of [REDACTED], Upper Marlboro.

11 Q. And do you know if, on that day, Mr. Ventura was observed  
12 during the surveillance?

13 A. No. No. He was later observed, but he was not in the --

14 Q. Okay. Let's start with Government 28g/1. Where is this  
15 picture taken?

16 A. This was a picture out in front of [REDACTED].

17 Q. 28g/2, what's that location?

18 A. This is just an overall picture back at [REDACTED]

19 [REDACTED].

20 Q. 28g/3?

21 A. This is the Jennifer Shop in Annapolis, which is a couple  
22 blocks from [REDACTED].

23 Q. And 28g/4?

24 A. This is the silver Expedition that he was operating on  
25 the 19th, and the tan vehicle is over to the right.

1 Q. And it's in front of the Jennifer Shop?

2 A. Yes.

3 Q. And 28g/5?

4 A. This is Luis Reyes, Colmillo, talking to him, or -- with  
5 the door open on the passenger side, and Ventura sitting in  
6 the driver's seat.

7 Q. 28g/6?

8 A. Again, that's Colmillo, Luis Reyes, sitting out on the  
9 front steps of [REDACTED].

10 Q. 28g/7?

11 A. Again, this was a picture of the driveway. Just wanted  
12 to show the activity for that day.

13 Q. The driveway of what location?

14 A. Of [REDACTED].

15 Q. 28g/8, is this another shot during the sequence of  
16 surveillance?

17 A. Yes.

18 Q. 28g/9?

19 A. Again, these were overall pictures just taken under  
20 surveillance at Jennifer Shop.

21 Q. This guy have any significance to your investigation?

22 A. No.

23 Q. 28g/10?

24 A. Again, just overall pictures at the Jennifer Shop.

25 Q. 28g/11, is this another shot at Jennifer Shop?

1 A. Yes, and Colmillo with the door open to the passenger  
2 side of Ventura's vehicle.

3 Q. Just another shot in the next sequence?

4 A. Yes.

5 Q. g/12 -- 28g/12?

6 A. Yes.

7 Q. 28g/13?

8 A. Again, that day, that's Colmillo operating the tan Nissan  
9 and gassing up right there at Route 2 and Old Solomon.

10 Q. Now, is this on the 20th of September?

11 A. I'm not positive, because I think that Agent Ed Kelly  
12 took that photo.

13 Q. All right. 28g/14?

14 A. Again, at the gas station at the Route 2 and Old Solomon.

15 Q. 28g/15?

16 A. Again, just overall shots at the Jennifer Shop.

17 Q. And 28g/16?

18 A. This was -- this was him leaving the Jennifer Shop, being  
19 German Ventura in the Expedition.

20 Q. 28g/17?

21 A. Again, same shot.

22 Q. Further out the driveway. What's 28g/18?

23 A. Again, can't see the tag number, but I think that's the  
24 tan Nissan that was parked there later at the day back at

25 [REDACTED].

1 Q. And 28g/19?

2 A. And, again, this is a shot -- this was on the 20th, after  
3 he -- Colmillo took her to Anita's Grocery Shop. I swung  
4 around, and he was dropping off the female at [REDACTED]  
5 [REDACTED].

6 Q. Is this another shot at that same location?

7 A. Yeah. This is the male coming out.

8 Q. This is 28g/20.

9 Next is 28g/21. Where was that photo taken?

10 A. Again, Colmillo was -- Mr. Reyes was -- dropped the one  
11 girl off at [REDACTED] first, and then he headed down  
12 roadway of Forest Drive, stopped at Anita's Grocery Shop with  
13 this female, and then he then proceeded to Bywater Road to  
14 [REDACTED], and that prior shot of the female entering  
15 the doorway, so this shot is before the other one.

16 Q. 28g/22?

17 A. This was, again, after they -- at the McDonald's doing  
18 surveillance. This was me following them back and taking a  
19 picture. This is at Route 2 heading right over towards -- I  
20 guess a few blocks up would be Forest Drive.

21 Q. And in Annapolis, Maryland?

22 A. Annapolis, Maryland, yes.

23 Q. And the last shot in this sequence, 28g/23, where is that  
24 image taken?

25 A. Again, this was prior to them getting to the next shot,

1 but this was them coming back to Route 50 and taking the 665  
2 exit.

3 Q. Detective Hartlove, did you become aware of another 911  
4 call of some significance to your investigation that was made  
5 to the Annapolis Police Department in late October of 2010?

6 I'm going to put up on the screen now Government  
7 Exhibit 40c/4A. Do you recognize this as another CAD report?

8 A. Yes.

9 Q. Here is the exhibit. And, first of all, can you see the  
10 date that this CAD call was made?

11 A. Yes.

12 Q. And, in the middle, can you see from what number the call  
13 was made?

14 A. Yes. [REDACTED]-3124.

15 Q. Now, we previously had two other 911 calls that were  
16 associated with that number; is that right?

17 A. Correct.

18 Q. And do you recall what the substance of this 911 call  
19 was?

20 A. I have to listen, but, again, it was, again -- it would  
21 be him calling in --

22 MR. RUTER: Objection.

23 THE COURT: Basis?

24 MR. RUTER: To the characterization it was him.

25 THE COURT: Okay. Overruled.

1                   **THE WITNESS:** It would be Mr. Ventura calling in a  
2                   complaint.

3                   **MR. CUNNINGHAM:** Your Honor, I'm playing Government  
4                   Exhibit 40c/4.

5                   (Whereupon, an audio recording was played.)

6                   **BY MR. CUNNINGHAM:**

7                   Q. Detective Hartlove, did you conduct any further inquiry  
8                   into this 911 call?

9                   A. I spoke to a -- a person about it, yes.

10                  Q. Well, do you know if any further law enforcement activity  
11                  ensued after the 911 call?

12                  A. No.

13                  Q. And, as far as the tag that was identified by the caller  
14                  and associated with a vehicle, did that have any significance  
15                  to your investigation? Did you discover it in your --

16                  A. Not at that time, no.

17                  Q. Did you later discover something?

18                  A. Yes.

19                  Q. Okay. With whom was that tag associated?

20                  A. Freddy Soriano.

21                  Q. Detective Hartlove, very briefly, was there an incident  
22                  on November 3rd of 2010 in Annapolis, Maryland, associated  
23                  with your investigation?

24                  A. Yes.

25                  Q. And what was that?

1 A. It was a robbery attempt of Hector Avila.

2 Q. Was Hector -- who was Hector Avila in the context of this  
3 attempted robbery?

4 A. Hector --

5 Q. Was he a perpetrator, or otherwise?

6 A. I'm sorry. Say again.

7 Q. Did he perpetrate the offense, or --

8 A. No. He was the victim of a attempted armed robbery.

9 Q. And, without going into the specifics of how that related  
10 to your case, as a result of that, did you and other law  
11 enforcement officers reach a conclusion about the conduct of  
12 your investigation?

13 A. Yes.

14 Q. And what was that?

15 A. The conclusion was that he was set up to arrive at a  
16 certain location. He was delivering girls himself, and, once  
17 he got there, three males, one having a shotgun, robbed him or  
18 attempted to rob him.

19 Q. You said that Hector Avila was running prostitutes  
20 himself?

21 A. Yes.

22 Q. And doing a delivery service?

23 A. Yes.

24 Q. And did you and Special Agent Kelly hear or see of any  
25 communication between Hector Avila and someone else?



1 A. Yes.

2 Q. Did Mr. Avila have any association with Freddy Soriano?

3 A. Yes.

4 Q. Now, had you seen Mr. Soriano's telephone at some time  
5 prior to November 3rd?

6 A. Yes.

7 Q. And when was that?

8 A. Freddy Soriano's phone?

9 Q. Yes.

10 A. It was -- began back on the date that he was arrested  
11 back in March 2010.

12 Q. Did Soriano have a phone on him at the time?

13 A. Yes.

14 Q. And did you examine the phone?

15 A. Yes.

16 Q. Did you see images on that phone?

17 A. Yes.

18 Q. I'm going to show you now Government Exhibit 15c/15 --  
19 c/5?

20 **THE REPORTER:** I'm sorry?

21 Q. Government Exhibit 15c/5, Government Exhibit 15c/6, and  
22 Government Exhibit 15c/7. Do you recognize all those images,  
23 Detective Hartlove?

24 A. Yes. This was later in August 3rd that Freddy Soriano  
25 also sent me or forwarded me the photo that he received.

1 Q. And did subsequent analysis of telephone records,  
2 including toll records, show the number associated with from  
3 where those texts had been sent?

4 A. From the text and the image itself, yes.

5 Q. And what was that number?

6 A. [REDACTED]-3124.

7 Q. Later, did you see similar images on a phone that  
8 Hector Avila had?

9 A. Yes.

10 Q. Did they appear to be similar to the images we just saw?

11 A. Yes.

12 Q. And did they have any -- these had texts in them in  
13 Spanish. Did you understand what the text was associated with  
14 the picture?

15 A. No, I did not understand them.

16 Q. Did the images you saw with Hector Avila have any text  
17 with them?

18 A. No, not that I'm aware of.

19 Q. Now, let me put Government Exhibit 15c/7 back up and ask  
20 you a question. Detective Hartlove, can you see that it  
21 appears in the center of this image that there is some kind of  
22 statute here? Do you recognize that?

23 A. Yes. That's a statute, what I believe to be Santa  
24 Muerte, as well as a semi-automatic gun on the top between the  
25 wings, and then the magazine is also in the -- in front of the

1 Santa Muerte with the -- their hands out, I guess, or the  
2 statue part.

3 Q. Detective Hartlove, did you recognize the background of  
4 this particular image?

5 A. Yes.

6 Q. And where is that? What do you recognize about it?

7 A. Well, I recognize it because it's the basement --

8 **MR. MONTEMARANO:** Objection, Your Honor. Can we  
9 approach?

10 **THE COURT:** Come up.

11 (Whereupon, the following discussion occurred at the  
12 bench.)

13 **MR. MONTEMARANO:** Most respectfully, Your Honor, I'd  
14 request a proffer from the Government how this witness  
15 believes he can recognize some indistinct, nondescript  
16 Venetian blinds from any other nondescript Venetian blinds  
17 that he's encountered in his, let's say, 40 years on God's  
18 green earth.

19 **THE COURT:** Good question.

20 **MR. CUNNINGHAM:** Your Honor, I think he would  
21 testify that it's --

22 **THE REPORTER:** If you'd move over to the mic.

23 **MR. CUNNINGHAM:** He would testify that it's very  
24 similar to the blinds that he saw in the Defendant's residence  
25 when he searched on November 15th.

1           **THE COURT:** And several million others as well. I  
2 will --

3           **MR. CUNNINGHAM:** I think that goes to weight, Your  
4 Honor.

5           **THE COURT:** I was going to say, if you want it in,  
6 you'll get it in, give Mr. Montemarano a chance to have some  
7 fun with it later.

8           While I've got you all up here, Mr. Ruter, we're  
9 going to break at 5:00 so that I can refer you to  
10 Judge Gallagher for an attorney inquiry, you and your client.  
11 I will pass that duty off to her --

12           **MR. RUTER:** Sure.

13           **THE COURT:** -- since I don't want to hear anything  
14 about your relationship that might affect my role as trial  
15 judge here. So we will break to accommodate that hearing.

16           **MR. RUTER:** I want the Court to know --

17           **THE COURT:** And I assume the interpreters are  
18 listening, and, since I assume that I have the interpreters up  
19 until about 6:00, I would hope that the interpreters would go  
20 to 7B so that they can interpret for Judge Gallagher.

21           I see Ms. Kirchgessner smiling, so I know she's  
22 gotten the message.

23           **MR. CUNNINGHAM:** Judge, are we breaking for the day  
24 at 5 o'clock? We have witnesses. We just want to --

25           **THE COURT:** Yes, you can let them go. I'm assuming

1 that -- whatever the inquiry takes, I will assume that we  
2 won't be able to resume to get something in between a hearing  
3 that starts at 5:00 and our 6:00 p.m. closing, so, sorry, but  
4 Mr. Ventura will get his wish.

5 **MR. RUTER:** Yes, Your Honor.

6 **MS. YASSER:** So we'll release our afternoon  
7 witnesses?

8 **THE COURT:** Yes.

9 **MR. RUTER:** Thank you, Your Honor.

10 **THE COURT:** Thank you.

11 **MR. MONTEMARANO:** What's the ruling?

12 **THE COURT:** The ruling was overruled, but, as I  
13 said, you'll get a chance to have some fun with it later.

14 (Whereupon, the bench conference was concluded.)

15 **THE COURT:** Question?

16 **MR. CUNNINGHAM:** Yes, Your Honor.

17 **BY MR. CUNNINGHAM:**

18 Q. Detective Hartlove, as a result of the incident involving  
19 Hector Avila, did you and Special Agent Kelly and other  
20 officers decide to essentially bring at least that phase of  
21 the investigation to a conclusion?

22 A. The investigation involving German Ventura, yes.

23 Q. Yes. And did you endeavor to obtain warrants for  
24 searches and arrests associated with your investigation?

25 A. Yes.

1 Q. And, on November 15th of 2010, we've heard several times  
2 reference to the fact that you actually executed a number of  
3 search warrants and arrest warrants; is that correct?

4 A. Yes.

5 Q. Was evidence seized at a variety of different locations  
6 on that day?

7 A. Yes.

8 Q. Where were you physically during the execution of the  
9 search?

10 A. I was at [REDACTED], Capitol Heights.

11 Q. And that was Mr. Ventura's residence at the time; is that  
12 right?

13 A. Yes.

14 Q. Were you assisted by anyone at that location?

15 A. Yes. There was two PG County officers, as well as some  
16 agents from Homeland Security.

17 Q. Was Mr. Ventura arrested that day?

18 A. Yes.

19 Q. And where was the arrest effected?

20 A. It was effected at Route 50 right near Rowe Boulevard.

21 Q. And was he in a car at the time he was arrested?

22 A. He was in the gray Astrovan.

23 Q. Did anyone search Mr. Ventura and the Astrovan?

24 A. Yes.

25 Q. And were a number of items seized from that location or

1 his person?

2 A. That's correct.

3 Q. Before he was arrested -- or let me ask you: Do you know  
4 why it was that he was arrested on Route 50?

5 A. We had physical surveillance going on with him the  
6 complete day. The officers followed him down into D.C. area.  
7 Again, there was no -- nobody in the car with him when he left  
8 the area -- well, it's the area of up near [REDACTED].

9 It's a university school that he was working at doing  
10 construction that morning. He left out. Again, this was a  
11 Monday. He left out and went into D.C., and then the officers  
12 lost physical surveillance on him briefly. Then the officers  
13 picked it back up. They saw that female was back in the car.

14 Q. You said he was observed going into D.C., and then  
15 returning to Maryland?

16 A. Correct.

17 Q. All right. When he was arrested, the search of the  
18 vehicle that he was operating, was evidence seized from that  
19 location?

20 A. Yes. From the Chevy Astrovan, correct.

21 Q. I'm going to show you Government Exhibit 20b/1. Do you  
22 recognize this?

23 A. Yes. This was a prayer paper to Santa Muerte.

24 Q. And was this on his person?

25 A. Yes.

1 Q. If you can remember, as I show you exhibits, if you'll  
2 tell me where the exhibits came from. I'm going to show you  
3 20c.

4 A. Again, I don't -- I don't recall where that item was  
5 recovered from.

6 Q. Okay. But these are all from the Astrovan?

7 A. Yes.

8 Q. All right. And, on the reverse side, do you see markings  
9 indicative of anything?

10 A. Again, to me, it's, you know, some type of figure or  
11 tally sheet.

12 Q. Government Exhibit 20d, this one is hard to see. Are you  
13 able to see what this receipt is for, where it's from?

14 A. It looks like a deposit for a bank on 11/3/2010. I can't  
15 see -- I can't make out any further --

16 Q. Can you determine location at all?

17 A. Capital One.

18 Q. Government 20e?

19 A. This is a registration card to a Chevy truck, A, Adam,  
20 2166093.

21 Q. And who is the registered owner of this vehicle?

22 A. It's to his business, VVV Home Construction. Insurance  
23 card is also there listed to VVV.

24 Q. And was this a vehicle that had been surveilled by you  
25 and other officers during this investigation?



1 A. Let me just check the VIN real quick. 3763. Yes, this  
2 is the Chevy Astrovan. Sorry.

3 Q. Government 20f, do you recognize another MVA registration  
4 certificate?

5 A. Yeah. This is temporary registration, 9 Adam Adam 0211,  
6 listed to VVV Home Construction at [REDACTED]. It's  
7 listed to a Honda four-door. This was later to be the blue  
8 Honda that was parked in front of his residence.

9 Q. Government 20g, do you see this exhibit?

10 A. Yes. This is a business card. On the back of it is  
11 Joong H. Kim and his cell number, [REDACTED]-6694, and --

12 Q. You identified this person earlier, correct?

13 A. Yes. That is the owner at the time of [REDACTED]  
14 [REDACTED] up near Patapsco Avenue, Baltimore County.

15 Q. And this was actually information on the reverse side of  
16 this business card; is that right?

17 A. Right. That's a tow company that's right next to it.

18 Q. Now, moving on to Exhibit 20j, from the center of the  
19 van, do you recognize Government Exhibit 20j?

20 A. This is from the Jennifer Shop. It's a place -- it's --  
21 it's hard to see. I believe it's to place money for the  
22 phone.

23 Q. Is this actually a money remitter receipt --

24 A. Right --

25 Q. -- Detective Hartlove?

1 A. -- and it's to Oscar Bonilla Ventura, with a phone  
2 number, [REDACTED]-8346, and it says [REDACTED].

3 Q. And did you learn that this actually demonstrates the  
4 transfer of money from the United States to another location?

5 A. Yes.

6 Q. But you see the number that is associated with the person  
7 identified as the sender?

8 A. Right, uh-huh.

9 Q. Government Exhibit 20k, do you recognize these documents?

10 A. Yes. This is a document from his vehicle. Again, Jorge  
11 Painting, and then the phone number on the card, [REDACTED]-5211,  
12 stands out, and then the [REDACTED]-8346.

13 Q. Government 20l, this was seized in the van, and what's  
14 this document?

15 A. Yeah. I'm not too sure, to tell you the truth. I'm  
16 sorry. It does say, it looks like, Easton up top. It does  
17 say -- it is a tally sheet. I'm sorry. I couldn't make out  
18 the writing.

19 Q. Now, Detective Hartlove, do you know if any cell phones  
20 were retrieved from the Astrovan that Mr. Ventura was  
21 operating when he was arrested?

22 A. Yes.

23 Q. I'm going to show you Government Exhibit 20i/1, 2, and 3,  
24 and do you recognize this as a bag containing three separate  
25 cell phones?

1 A. Yes.

2 Q. And, with regard to all the cell phones that were seized  
3 during the operation on November 15th, did you and other  
4 officers find out the numbers assigned to these cell phones --

5 A. Yes.

6 Q. -- and subsequently perform analysis of the phones and  
7 any kind of call data you were able to recover?

8 A. Correct, yes.

9 Q. I'm showing you Government Exhibit 20m. Do you recognize  
10 this as a phone seized from the passenger side of that van?

11 A. Yes.

12 Q. Now, when Mr. Ventura was arrested, was he accompanied by  
13 anybody?

14 A. There was a female in the vehicle with him.

15 Q. And do you or did you or did other officers identify that  
16 woman?

17 A. She was later identified, yes.

18 Q. What was her name?

19 A. Benita Torres Moran.

20 Q. And did you recover information, like contact type  
21 information, from the phone that came from Benita Torres  
22 Moran?

23 A. Yes.

24 Q. Did you find that there had been some contact by that  
25 phone with Mr. Ventura that morning?

1 A. Yes.

2 Q. Showing you Government 20n, do you recognize this as a  
3 bag filled with -- there is an inner bag with Crown condoms.

4 A. Yes. It's from the passenger side.

5 Q. Was this in Ms. Torres -- yes -- Benita Torres Moran's  
6 possession?

7 A. Yes.

8 Q. And, finally, Government 20p from the Astrovan, do you  
9 recognize this as a notebook seized from Ms. Torres Moran?

10 A. Yes.

11 Q. Was there any information -- and, actually, if I hand it  
12 to you, maybe you can examine it more closely. Do you recall  
13 seeing any information in this page or the next that  
14 corresponded to --

15 A. It says -- on the page, it says Oscar, and then it  
16 says -- looks like Naplis (phon) or Nopelis (phon),  
17 N-A-P-O-L-E, and the phone number says [REDACTED]-3124.

18 **THE REPORTER:** Could you spell that again?

19 **THE WITNESS:** Yes. It says, Oscar, O-S-C-A-R, and  
20 then it says N-A-P-O-L, looks like E, Napole (phon).

21 **BY MR. CUNNINGHAM:**

22 Q. Detective Hartlove, I'm putting up Government  
23 Exhibit 20h, and do you recognize this particular exhibit from  
24 the rear of the van?

25 A. Yes. These are prostitution business cards,

1 [REDACTED]-9346, as well as the other, [REDACTED]-8649.

2 Q. And, also from Ms. Torres Moran, Government Exhibit 20o.  
3 Do you recognize this exhibit?

4 A. Yes. This was the Greyhound bus ticket down from New  
5 York to Washington --

6 Q. And --

7 A. -- for Benita Torres.

8 Q. And what day was the travel for?

9 A. For the 15th of November 2010.

10 Q. You can see that on the exhibit?

11 A. Yes.

12 **THE COURT:** Mr. Cunningham, we're going to take a  
13 break here.

14 Members of the jury, we're going to take the  
15 afternoon recess. Please remember: Don't discuss the case  
16 among yourselves or with anyone else. I also advise you that,  
17 because of another matter, we will have to suspend just before  
18 5:00 today. We will not be sitting until 6:00 today. I will  
19 see you at five minutes before 4:00.

20 We're in recess.

21 **THE CLERK:** All rise. This Honorable Court stands  
22 in short recess.

23 (Jury excused.)

24 (Recess taken, 3:32 p.m. - 3:51 p.m.)

25 **THE CLERK:** All rise. This Honorable Court now

1 resumes in session.

2 **THE COURT:** Thank you.

3 Deputies, we are suspending early so that  
4 Judge Gallagher can conduct a hearing for Mr. Ventura in 7B,  
5 so Mr. Ventura has to be in 7B at 5:00 p.m.

6 Ready for the jury, folks?

7 **MR. CUNNINGHAM:** Yes, Your Honor.

8 (Jury enters.)

9 **THE COURT:** Thank you. Please be seated.  
10 Madam Clerk?

11 **THE CLERK:** I'd like to remind you: You're still  
12 under oath.

13 **THE WITNESS:** Yes, ma'am.

14 **THE COURT:** Question?

15 **MR. CUNNINGHAM:** Thank you, Your Honor.

16 **BY MR. CUNNINGHAM:**

17 Q. Detective Hartlove, I want to finally turn to a search at  
18 the [REDACTED] residence of Mr. Ventura, the November 15th,  
19 2010 search. Did you participate at that particular location?

20 A. Yes.

21 Q. And, first of all, were images taken of the front of the  
22 residence?

23 I'm going to show you Government Exhibit 27a/1? Do  
24 you recognize this?

25 A. Yes. That's the front of his house, [REDACTED].

1 Q. Is that generally how it appeared the day that you went  
2 to execute the search?

3 A. Yes.

4 Q. Now, I have some additional photos, before going into  
5 actual physical evidence. First of all, 27a/2, can you tell  
6 the jury what's depicted in this image?

7 A. Again, they're Maryland license plates. They were  
8 located on the second floor of the residence. Again, Maryland  
9 tags, 2 Frank David Mary 29, 3 David Edward Paul 76.

10 Q. You don't have to go into the details.

11 And Government Exhibit 27a/3, more license tags?

12 A. More license tags, that's correct.

13 Q. And, finally, Government Exhibit 27a/4, do you recognize  
14 that?

15 A. Yes. The statue of Santa Muerte that was in the bedroom  
16 downstairs. In the backdrop is the blinds and a window.  
17 Along to the right-hand side is a closet -- like a clothes  
18 closet, and inside of it is like burnt candles and in the  
19 saucer jars there, as well as a cup and some other glass  
20 device.

21 Q. Can you see the backdrop in this particular picture of  
22 the Santa Muerte image?

23 A. Yes.

24 Q. Is that a window in the background?

25 A. Yes.

1 Q. And describe what kind of a window covering there are  
2 there.

3 A. Again, vertical blinds. Plastic vertical blinds in the  
4 backdrop.

5 Q. Vertical, or horizontal?

6 A. Horizontal. I'm sorry. Horizontal blinds that are on  
7 the basement window. It's to the right of the house.

8 Q. Did you take or assist in capturing these images,  
9 Detective Hartlove?

10 A. I did take some of the images, that's correct.

11 Q. Did you see the Santa Muerte image and that particular  
12 backdrop when you were at [REDACTED] on November 15th of  
13 2010?

14 A. Yes.

15 Q. What I put up is Government Exhibit 27b. Do you  
16 recognize this?

17 I'll take it out of the plastic and show you the  
18 front of it.

19 A. It's a El Salvadoran passport.

20 Q. And can you tell to whom the passport was issued?

21 A. Listed to last name of Ventura, first name German, and de  
22 Jesus.

23 Q. Now, I'm going to put up on the screen Government  
24 Exhibit 27c/1 and 27c/2, and then bring them to you and ask  
25 you to look at them a little more closely.



1 A. Thank you.

2 Q. Are there any annotations in those notebooks that sort of  
3 jumped out at you in terms of their relevance to your  
4 investigation?

5 A. Yes. Along with the green writing on the top, it has the  
6 writing, again, [REDACTED],  
7 numbers below it, adding it up. Down at the bottom on the  
8 right, it's got Colmillo, C-O-L-M-I-L-L-O. Again, it's just  
9 adding up numbers. Above Colmillo, it's 140.

10 On the right, the other pad, again, it's a little  
11 note pad. Again, it appears to be a tally sheet. On the --  
12 it says -- looks like [REDACTED], Norfolk, Virginia,  
13 [REDACTED] -- either a [REDACTED] or an [REDACTED].

14 Q. Based on your experience, how would you describe the  
15 annotations in those notebooks?

16 A. Again, they're tally sheets, just ledgers to keep -- keep  
17 the amounts correct.

18 Q. Government 27d, I previously showed this to you. Do you  
19 recall seeing this particular receipt, 27d?

20 A. Yes.

21 Q. And this was found when you did the search on  
22 November 15th, right?

23 A. That's correct.

24 Q. And, again, referencing the number associated with this  
25 Boost Mobile phone, where had you previously seen that number?

1 A. [REDACTED]-9263. If I may just refresh my memory.

2 Q. Do you remember the 911 call in March?

3 A. That's correct.

4 Q. Okay. One of the two --

5 A. Yes.

6 Q. -- 911 calls.

7 Government 27e, and what's this document?

8 A. This is an MVA voucher to VVV Home Construction. It  
9 appears that -- the title registration receipt.

10 Q. Did you correspond this to one of the vehicles that was  
11 the subject of your investigation?

12 A. I have to look at it a little bit more thoroughly to see  
13 if it has a tag on it.

14 (Witness reviewing exhibit.)

15 A. Yes. The tag is off to the left. It's 886 Victor 075.  
16 That was the first tag I discovered on the white Chevy  
17 Astrovan when it was discovered at [REDACTED].

18 Q. 27f, do you recognize this document?

19 A. MVA, Maryland notice of compliance for requested  
20 insurance information, again, listed to VVV Home Construction,  
21 [REDACTED]. It's for a vehicle ending in 3763. That is the  
22 Chevy Astrovan. That's the new tag or another tag, A Adam  
23 205926.

24 Q. Government 27g is another one of the money remitter  
25 receipts, and, again, can you see in the center of it

1 information associated with the sender?

2 A. Again, it's listed to Iaria Ventura. The payer is Blanco  
3 Aricola, A-R-I-C-O-L-A, and the sender is Oscar Bonilla  
4 Ventura.

5 Q. And can you see an associated address with that name?

6 A. It says [REDACTED], Annapolis, Maryland.

7 Q. 27h -- first of all, Detective Hartlove, is it correct  
8 that a whole lot of documents, miscellaneous papers were  
9 seized during the search of [REDACTED]?

10 A. There was a numerous amount of documents received prior  
11 to [REDACTED].

12 Q. And have you combed through and you believe extracted  
13 documents that are believed relevant to this case and your  
14 investigation?

15 A. Yes.

16 Q. Okay. So, 27h, tell the jury why these papers were  
17 pulled.

18 A. Again, on the top, it says to be [REDACTED], some other  
19 writing. It's got some totals and who to pay out. Again, who  
20 stands out is Colmillo and some other -- appears to be  
21 Hispanic names.

22 Q. Government 27i, what's the significance of this  
23 particular business card?

24 A. This number at the bottom is [REDACTED] -- written on it,  
25 [REDACTED]-0903, and then a number was crossed off.

1 Q. And that number is the one associated with  
2 German Ventura?

3 A. That's correct. It came into the investigation.

4 Q. Government 27j?

5 A. This is a --

6 Q. Title?

7 A. This is the title to the Chevy -- Chevy truck. Let me  
8 check something.

9 Q. Was this a title to a vehicle that was the subject of  
10 part of your investigative activities?

11 A. That is correct. It's the Chevy truck -- the Astrovan.

12 Q. And, 27k, can you describe what this document is? First  
13 of all, it appears to be like it had been torn up. Do you  
14 recall how it was found?

15 A. It was found in a trash bag in the room at [REDACTED]

16 [REDACTED].

17 Q. And, based on your investigation, did you perceive some  
18 significance to this document?

19 A. Yes.

20 Q. Okay. And did you reassemble it so that it's sort of put  
21 back together?

22 A. I did. It was ripped up and in the trash can. I put it  
23 back together.

24 Q. 27l/1 -- excuse me -- i/1. No. I apologize. It is l/1.

25 **MR. CUNNINGHAM:** I misspoke, Your Honor.

1 Q. 271/1, are these some more of the miscellaneous documents  
2 that were seized?

3 A. Yes. Miscellaneous tally documents of what is owed.  
4 What stands out is, again, Colmillo, C-O-L-M-I-O (sic), 20,  
5 and some -- on the right, some tally sheets from the days of  
6 the week. Wendy, name. I can't read the other name.

7 Q. Next document is 271/2. It's more of the same kind of  
8 documents?

9 A. That's correct, with the women's names down at the  
10 bottom, the amount that are owed.

11 Q. 27m?

12 A. This is documents listed to Jose Benitez Contreras, [REDACTED]  
13 [REDACTED], Capitol Heights, Maryland, for an initial no  
14 parking or a fine to a vehicle --

15 **THE REPORTER:** I'm sorry. I can't hear you.

16 **THE WITNESS:** I'm sorry. It's a parking fine  
17 notice, and to -- but Jose Benitez Contreras, [REDACTED]  
18 [REDACTED], and the tag is 3 Frank Mary George 76.

19 **BY MR. CUNNINGHAM:**

20 Q. Government's 27n, another document that appears as if it  
21 had been torn up. Do you know where this was recovered?

22 A. From the home that -- the trash, I believe. The  
23 temporary license, 7 Mary David 8666. That's to a Ford, and  
24 it was to the Ford -- green Ford Explorer.

25 Q. Can you see the name of the person to whom the vehicle

1 was registered?

2 A. Yeniz H. Ruiz Vasquez.

3 Q. And did you identify that person?

4 A. Yes.

5 Q. Who was that?

6 A. That is the mother to German Ventura, and they have two  
7 children together.

8 Q. The mother to his child or children?

9 A. The mother to -- yes -- his child -- children.

10 Q. Government 27o, is this another one of the money remitter  
11 receipts?

12 A. Yes. The sender is Oscar Bonilla Ventura, again, [REDACTED]

13 [REDACTED], Annapolis, Maryland.

14 Q. Government 27p, what's the significance of this  
15 particular piece of paper?

16 A. This is from E&D Wireless, 2132 Forest Drive, which is, I  
17 believe, right next to the Jennifer Shop. This is the  
18 telephone number [REDACTED]-3124, found to be German Ventura.

19 Q. The number from which a number of the 911 calls were  
20 made?

21 A. That's correct, yes.

22 Q. And, actually, can you tell from this piece of paper  
23 what, if anything, the amounts reflect on there?

24 A. The amount is \$50, and that was from the date of  
25 9/14/2010, Boost Mobile.

1 Q. Government 27q, this is a document that appears to be  
2 from a Maryland MVA office, and what's this pertain to?

3 A. Insurance verification required, suspension warning,  
4 proof of vehicle insurance is required through Maryland MVA,  
5 sent to German Ventura, [REDACTED]; the tag, 17157M,  
6 Mary, 5, '95 Ford. Just --

7 Q. Is that one of the vehicles that you conducted  
8 surveillance on?

9 A. Yes.

10 Q. Government 27r -- let me orient it -- what's this  
11 particular document?

12 A. This is an e-ticket to German Ventura, a citation he was  
13 given back on 3/30/2010 on westbound Route 50 at Exit 43.

14 Q. And, Government Exhibit 27s --

15 A. This is --

16 Q. -- what's this document?

17 A. This is a Cricket customer copy listed to an Oscar  
18 Bonilla with a telephone number [REDACTED]-3286, and the address  
19 listed is [REDACTED], Arbutus, Maryland, 21227.

20 Q. And the address on there, was that significant in your  
21 investigative activities?

22 A. Yes.

23 Q. Earlier, you testified that you had learned of something  
24 there, and later on went and -- in fact, you identified some  
25 pictures you took at that location, right?

1 A. Yes.

2 Q. At the time you saw these particular exhibits or that  
3 document, did you know of the significance of that address?

4 A. No, not at that time.

5 Q. And it later became something of interest to you in the  
6 investigation?

7 A. Yes.

8 Q. Government 27v is another MVA or Maryland title  
9 certificate. Again, we can see the same name you identified  
10 earlier as the mother of some of Defendant Ventura's children,  
11 and this is for what vehicle?

12 A. This is the title to the silver Ford Expedition truck  
13 listed to Yenis H. Ruiz Vasquez.

14 Q. Do you know if, at the time you executed the search at  
15 [REDACTED], Ms. Ruiz Vasquez lived at that address?

16 A. I -- oh, at the time, yes, I did.

17 Q. She did. Okay. Thank you.

18 And, as with searches in other locations, did you  
19 locate cell phones?

20 A. Yes.

21 Q. And were they seized and analyzed?

22 A. Yes.

23 Q. Okay. I'm just going to quickly go through. This is  
24 Government Exhibit 27w/1. Is this one of the phones that was  
25 seized?



1 A. Yes.

2 Q. 27w/2?

3 A. Yes.

4 Q. 27w/3?

5 A. Yes.

6 Q. 27w/4?

7 A. Yes.

8 Q. 27w/5? Actually, I should flip it over.

9 A. Yes.

10 Q. You're saying yes. These were all seized at the [REDACTED]

11 [REDACTED] residence?

12 A. That's correct, yes.

13 Q. 27w/6, was this one of the phones seized?

14 A. Yes.

15 Q. 27w/7?

16 A. Yes.

17 Q. 27w/8?

18 A. Yes.

19 Q. And, finally, 27w/9?

20 A. Yes.

21 Q. All these phones were seized from this one location?

22 A. Yes.

23 Q. And did you or did Agent Kelly endeavor to try to gather  
24 information from those phones through the technological  
25 capabilities you can employ?

1 A. Yes.

2 Q. Detective Hartlove, I think I skipped over Exhibit 27u,  
3 and, actually, let me take it out and show you the front side  
4 of this. Do you recognize 27u? Let me hand it to you and  
5 give you a chance to look at it.

6 (Witness reviewing exhibit.)

7 A. Yes.

8 Q. Is there anything significant about that particular  
9 notebook?

10 A. Yes. On the page that wasn't being displayed, it's got  
11 "Wilbert Alejanero Herrera Aranda" and "Isidro Jimenez  
12 Sanchez," then underneath that says, "Mexico."

13 Q. And do you remember the names of the two men who were  
14 arrested at the [REDACTED] Easton location?

15 A. Yes. That is their names.

16 Q. This is actually, I guess -- appears maybe the second  
17 page from the back. Is this the page you were reading from --

18 A. Yes.

19 Q. -- Detective Hartlove?

20 A. Yes.

21 Q. 27x, you previously testified about the Crown condoms.  
22 Were these found at the [REDACTED] location?

23 A. Yes, they were.

24 Q. And, finally, I'll put here -- this is Government 27s,  
25 and I'll hand it to you. Do you recognize 27s?

1 A. Yes. This is the Santa Muerte that was inside his room  
2 up against the window and the side clothing closet. The wings  
3 were detached, were not -- apparently got broken.

4 **MR. CUNNINGHAM:** Now, Your Honor, may  
5 Detective Hartlove step down and publish this to the jury?

6 **THE COURT:** Yes.

7 **BY MR. CUNNINGHAM:**

8 Q. Detective Hartlove, it appears that the statue is damaged  
9 now. Is that how you found it?

10 A. No.

11 Q. Do you know how it came to be damaged?

12 A. It actually fell on the floor when we were packaging it.

13 Q. All right. If you'll go approach the jury and show them  
14 the Santa Muerte.

15 (Government Exhibit 27s displayed to the jury.)

16 **BY MR. CUNNINGHAM:**

17 Q. And let me finally show you Government Exhibit 27y. Was  
18 this also seized at the [REDACTED] location?

19 A. Yes.

20 Q. And can you see to whom this particular citation was  
21 issued?

22 A. It's -- it's to German de Jesus Ventura, *State versus*  
23 *Kevin Garcia Fuentes*. It's got an October 6th, 2008, Room 3.  
24 It's driving or attempting drive motor vehicle without a  
25 license.

1                   **MR. CUNNINGHAM:** May I have one moment, Your Honor?

2                   **THE COURT:** Yes.

3                   **MR. CUNNINGHAM:** Your Honor, I have nothing further  
4 for Detective Hartlove at this time.

5                   **THE COURT:** Thank you.

6 Cross?

7                   **MR. MONTEMARANO:** Thank you, Your Honor.

8                                   **CROSS-EXAMINATION**

9                   **BY MR. MONTEMARANO:**

10 Q. Good afternoon, Detective Hartlove. How are you?

11 A. Good, sir. Thank you.

12 Q. I'd like to begin with the Santa Muerte statue that you  
13 just published to the jury. Now, we saw some later  
14 photographs from a lower level of that particular statue; is  
15 that correct?

16 A. Yes. When you say "lower level," I was at eye level.

17 Q. Okay. About at eye level. That's a fair statement. And  
18 they were next to the white closet; is that correct?

19 A. Yes.

20 Q. And there were some horizontal Venetian blinds on the  
21 window behind, correct?

22 A. Correct.

23 Q. And you were there. You saw that scene that we see  
24 depicted in those photographs, correct?

25 A. Yes.

1 Q. So you can testify based upon personal knowledge, you  
2 know that's how it looked there before it was moved; is that a  
3 fair statement?

4 A. Yes.

5 Q. And, in some cases, you actually, you testified, took  
6 some of those photographs; is that correct?

7 A. Yes.

8 Q. I'd like to invite your attention, however, to the  
9 photographs from the phone with a Santa Muerte statue,  
10 correct?

11 A. Yes.

12 Q. You recall those?

13 A. Yes.

14 Q. If I could inquire, you would agree you can't speak  
15 Spanish, correct?

16 A. No.

17 Q. You don't have a degree in Spanish history or Spanish  
18 literature or any exposure to Spanish culture; is that a fair  
19 statement?

20 A. No.

21 Q. Or Hispanics' culture or Latin American culture; is that  
22 also a fair statement, sir?

23 A. No.

24 Q. So you have no understanding of how common or ubiquitous  
25 the Santa Muerte culture might be in Latin America?

1 A. Yes. I mean, you can read about it on the Internet. We  
2 were just taught through the police department. The liaison,  
3 Joe Hudson, runs a class or information about it.

4 Q. And you would agree, therefore, that it is rather common;  
5 is that a fair statement?

6 A. There are different statues that are prayed to that are  
7 common, yes.

8 Q. And this one --

9 **MR. MONTEMARANO:** Mr. Cunningham, is this it?

10 **MR. CUNNINGHAM:** Yes.

11 **MR. MONTEMARANO:** The bag is sealed, so I'm not  
12 going to break it again?

13 **BY MR. MONTEMARANO:**

14 Q. This is, as far as you were able to determine,  
15 commercially available, commercially produced? This is not a  
16 one off, not uncommon or anything like that; is that a fair  
17 statement -- this particular statue?

18 A. I can't say I -- I don't know. I don't know if it's mass  
19 produced or if --

20 Q. Does it appear to be singular or unique or handmade or  
21 anything of that sort?

22 A. I -- I have not seen one before like that.

23 Q. Okay. And, to your eye, it appears to be similar to the  
24 one in the photograph on the phone; is that a fair statement?

25 A. Yes.

1 Q. And, in the same way, the blinds behind the one in the  
2 photograph in the phone appear to be similar to the blinds  
3 behind the statue that you found at [REDACTED], correct?

4 A. Yes.

5 Q. But I would be correct if I also understood you never  
6 found a handgun at [REDACTED], correct?

7 A. That's correct.

8 Q. And you never found a handgun that resembles the one in  
9 that photograph at any time during your investigation of this  
10 case, correct?

11 A. Correct, yes.

12 Q. Or in the investigation of any other case, correct?

13 A. Correct.

14 Q. Okay. And I'd like to ask you a few questions about your  
15 testimony concerning Sylvia Maria Barrientos. That's the  
16 girlfriend of El Pelon, Ricardo Ramirez, the gentleman who  
17 died after being shot on the 13th of September 2008, correct,  
18 sir?

19 A. Yes.

20 Q. Now, if I understood your testimony correctly,  
21 Ms. Barrientos -- can I call her Sylvia? Would that be okay  
22 with you?

23 A. That would be fine with me, yeah.

24 Q. My Spanish isn't better than yours, sir. Montemarano is  
25 Italian.

1 Sylvia told you that there had been threats directed  
2 towards Ramirez, El Pelon, her boyfriend --

3 A. Yes.

4 Q. -- in the time prior to his being murdered, correct?

5 A. Yes.

6 Q. And she also said that there were certain numbers  
7 associated with the threatening phone calls; is that what you  
8 testified to, if I understood you correctly?

9 A. Yes.

10 Q. And did she tell you how long before the murder on the  
11 13th of September that those phone calls would have taken  
12 place?

13 A. She didn't go into a specific day, or she didn't say it  
14 was --

15 Q. Did she indicate how long before; yes or no?

16 A. No, she didn't say the exact day, no.

17 Q. You're sure she gave you these phone numbers associated  
18 with the threatening calls, correct?

19 A. Yes.

20 Q. And those phone numbers were obtained by you from her,  
21 correct?

22 A. Yes.

23 Q. And they were obtained in late September, correct?

24 A. Yes.

25 Q. And early October, correct?



1 A. They were given to Sergeant Hertik -- Jessica Hertik, now  
2 Kirchner, and they were given to me.

3 Q. Okay. I submit to you, sir, that what she told you was  
4 those were phone calls associated with competitors in the  
5 prostitution business, competitors of Mr. Ramirez; is that a  
6 fair statement?

7 A. Yes.

8 Q. And she said nothing about them being associated with the  
9 threatening phone calls, I suggest, sir.

10 A. She said they were threatening phone calls.

11 Q. I'm asking about the relationship of the two phone  
12 numbers to the threatening phone calls. She said nothing  
13 about that?

14 A. She had indicated that those two numbers had called him  
15 before and threatened him.

16 Q. As a part of your investigation, did you appear in front  
17 of the Grand Jury?

18 A. Yes.

19 Q. Are you aware that Ms. Barrientos, Sylvia, appeared in  
20 front of the Grand Jury; yes or no?

21 A. I don't recall that she did.

22 Q. Okay. So would it be fair to say you did not recall or  
23 you did not discuss, prior to taking the stand this morning,  
24 Sylvia's testimony before the Grand Jury on the 29th of  
25 November 2011 with --

1 A. I'm sorry.

2 Q. -- Mr. Cunningham or Ms. Yasser? Is that a fair  
3 statement?

4 A. I'm sorry. Say it again.

5 Q. Would it be fair to say, therefore, if you were unaware  
6 that she testified in front of the Grand Jury, that you did  
7 not discuss her Grand Jury testimony with Mr. Cunningham or  
8 with Ms. Yasser before you took the stand this morning --

9 A. No.

10 Q. -- to testify?

11 So it would be fair to say you would be unaware that  
12 Ms. Barrientos, before the Grand Jury -- and, so we're clear,  
13 the Grand Jury is an investigative --

14 **MR. CUNNINGHAM:** Objection, Your Honor.

15 **THE COURT:** Basis?

16 **MR. CUNNINGHAM:** Well, I think where we're going --  
17 may we approach?

18 **THE COURT:** Come up.

19 (Whereupon, the following discussion occurred at the  
20 bench.)

21 **MR. CUNNINGHAM:** Judge, the answer to the last  
22 question established that Detective Hartlove wasn't apprised  
23 of the witness Sylvia Barrientos' testimony in front of the  
24 Grand Jury, then discuss it. This question is basically  
25 designed solely to present to this jury what her testimony

1 was. I mean, he's already established he doesn't know what  
2 she testified to. As Your Honor is well aware, you know, he  
3 wasn't in the Grand Jury with her, and it wasn't shared with  
4 him.

5 **MR. MONTEMARANO:** The detective already has  
6 testified as to what she said. I intend to confront him with  
7 the fact that he is unaware of the fact that she testified  
8 under oath these phone calls took place eight months before  
9 the murder and not in the intervening time, that they were  
10 approximately eight in number, that she is entirely unaware of  
11 the numbers because they came up as blocked numbers on the  
12 telephone.

13 This is testimony elicited by Mr. Cunningham from  
14 Ms. Barrientos before the Grand Jury under oath. They've  
15 opened the door by asking what she said to him. I think I'm  
16 entitled to cross-examine this witness with regard to this  
17 contravening testimony, which is the reason that Mr. Ruter and  
18 I objected when this originally came up.

19 **MR. CUNNINGHAM:** Your Honor, as far as this witness,  
20 first of all, to the extent that he's established what he  
21 testified what she told him, her Grand Jury testimony can't be  
22 used against him to the extent that he doesn't know it, and,  
23 if he -- you know, it's really being introduced to suggest  
24 something that -- you know, what she testified in there is  
25 true.

1           **THE COURT:** Well, it seems to me that it only has  
2           two uses. One, it's either to discredit Ms. Barrientos, is  
3           it? Barrientos, who has not testified, so of course that is  
4           irrelevant as to that, and whether he knows that she has  
5           testified differently, again, that would be another measure of  
6           her credibility, but, again, she hasn't testified yet, so  
7           sustained.

8           **MR. MONTEMARANO:** Your Honor? Your Honor?

9           **THE COURT:** Yes. Wait a minute. He wants another  
10          crack.

11          **MR. MONTEMARANO:** Well, there are never enough  
12          cracks, Your Honor. I'm a little confused. The Government  
13          was permitted to elicit hearsay testimony from this witness  
14          concerning what somebody else said. We have no reason of  
15          knowing how it was said, when it was said, or anything else.  
16          I have testimony which has been recorded and taken under oath  
17          that directly contravenes what he said. We don't have -- this  
18          woman is not on their witness list.

19          **THE COURT:** Well, that's more actually a reason not  
20          to permit it than it is to permit it.

21          **MR. CUNNINGHAM:** Judge, to the extent we -- we  
22          introduced the testimony not for the notion that it was  
23          accurate or true. It was through the operative effect it had  
24          on Detective Hartlove's -- how he moved forward with his --

25          **THE COURT:** It's why he did what he did.

1           **MR. CUNNINGHAM:** Exactly, and so, you know, to  
2           introduce this now is solely for the suggestion that it was  
3           true, and that is hearsay.

4           **THE COURT:** You might get another shot, but not on  
5           this one, Mr. Montemarano.

6           **MR. MONTEMARANO:** So I can't ask him, for example:  
7           She never told you the numbers were blocked? She never told  
8           you these calls were eight months before? She never told you  
9           that she didn't know what numbers -- nothing of that sort? I  
10          don't want to --

11          **THE COURT:** Again, it's irrelevant, because it's  
12          just impeaching of her, and, as the Government says, they  
13          didn't offer her statements for their truthfulness. In a way,  
14          I suppose it's kind of irrelevant as to whether there is proof  
15          of her truthfulness or not.

16          **MR. MONTEMARANO:** But I'm seeking to impeach him as  
17          to the basis for his proceeding down the investigative path --

18          **THE REPORTER:** I'm sorry. A little bit slower.

19          **MR. MONTEMARANO:** I'm sorry. I respectfully submit  
20          that I'm seeking to impeach this witness based upon his  
21          beginning his journey down this path because I suggest that  
22          those doors were never opened.

23          **THE COURT:** Yes, but you're trying to impeach him  
24          with something that he apparently does not know.

25          **MR. MONTEMARANO:** Well, I'd like to investigate that

1 he does by -- well, she never told you the following?

2 **THE COURT:** He said he wasn't aware of her  
3 testimony. The objection is sustained. Let's make the use of  
4 our remaining 26 minutes.

5 (Whereupon, the bench conference was concluded.)

6 **THE COURT:** Question?

7 **BY MR. MONTEMARANO:**

8 Q. How many times did you speak with Ms. Barrientos -- with  
9 Sylvia?

10 A. I spoke with her on the 18th of September 2008. That was  
11 with the assistance of Detective Sergeant Hertik. John Lee  
12 was present. Detective Lee was present. I don't recall  
13 speaking to her other than probably about a year ago, maybe a  
14 little bit less at a new residence.

15 Q. And she never told you that the threatening calls came in  
16 about eight months before Mr. Ramirez was shot? Do you recall  
17 that?

18 A. I don't recall the exact time she said. She indicated,  
19 looking at my report, that she -- this is -- again, she's  
20 telling officers that her boyfriend was being threatened in  
21 the past, and that this guy also had to do something with the  
22 Hispanic male's being shot at Forest Hills Avenue (sic).

23 Q. And, when she gave you these phone numbers in September  
24 and October, she also gave you cards with those numbers on  
25 them, did she not, or pieces of paper?

1 A. I believe -- I have to look at my notes, but I just know  
2 that Sergeant Hertik provided me with those numbers.

3 Q. Okay. And she didn't tell you that those threatening  
4 phone calls from eight months before came in as blocked  
5 numbers?

6 **MR. CUNNINGHAM:** Objection, Your Honor.

7 **THE COURT:** Overruled.

8 **BY MR. MONTEMARANO:**

9 Q. You don't recall that?

10 A. No.

11 Q. Okay.

12 **MR. MONTEMARANO:** The Court's indulgence, please.

13 **THE COURT:** Yes.

14 **BY MR. MONTEMARANO:**

15 Q. You described seizing cards from Carlos Guzman, or  
16 prostitution cards, business cards?

17 A. Yes.

18 Q. And the numbers on those cards were the same numbers that  
19 you've associated with the Dulce -- Dulce Ventura subscriber  
20 information? That's the [REDACTED] number -- [REDACTED]-5015; is that  
21 correct?

22 A. Carlos Guzman --

23 Q. Yes.

24 A. -- Herrera had a [REDACTED]-4744.

25 Q. That was his phone. I'm saying the cards in his

1 possession. He had cards in his possession with that 5015  
2 number; did he not, sir?

3 A. I have to look at my notes.

4 Q. Okay.

5 (Witness reviewing document.)

6 A. I have that they're business cards. I would have to look  
7 at the evidence itself to find out --

8 Q. Okay.

9 A. -- what the number is.

10 Q. We'll move on.

11 A. I believe the number was the same, too, what was on his  
12 card -- what was on his cards.

13 **MR. MONTEMARANO:** Mr. Cunningham, do you have 6c/16,  
14 the booking photos?

15 (Document tendered to Mr. Montemarano.)

16 **MR. MONTEMARANO:** Thank you.

17 **BY MR. MONTEMARANO:**

18 Q. This is 6c/16, 1-6, Mr. Giordano. That's the booking  
19 photo of my client, correct?

20 A. Correct.

21 Q. That's the same gentleman sitting there?

22 A. Yes.

23 Q. And, every time you've encountered him, he has had hair  
24 of that length or longer, correct?

25 A. Hairstyle changed a little bit.



1 Q. A little bit. Never short?

2 A. No.

3 Q. And, with regard to those booking sheets that  
4 Mr. Cunningham asked you about, were you present when all of  
5 them were taken -- the information?

6 A. No.

7 Q. So you have no understanding of the circumstances under  
8 which the information on those booking sheets was taken in by  
9 an Annapolis Police Department personnel, because you've  
10 testified that's who does it, correct?

11 A. Yeah. I wasn't there when they were all taken, but I  
12 know the general process on the questions or --

13 Q. You have no way of knowing if a Spanish-speaking officer  
14 was present and participatory?

15 A. Other than Mark Cochran, I know he speaks a little  
16 Spanish, yes.

17 Q. Okay. So Officer Cochran speaks some Spanish?

18 A. Yes.

19 **MR. MONTEMARANO:** Could I please see the passport,  
20 3a, Mr. Cunningham?

21 (Counsel conferring.)

22 **BY MR. MONTEMARANO:**

23 Q. I'm going to show you up on the ELMO the passport of my  
24 client, already identified as 3a. I've turned it a little so  
25 we can use it a little more easily. Here we go.

1 I'd like to invite your attention. Hairstyle seems  
2 essentially the same as what we saw in the booking photo; is  
3 that a fair statement?

4 A. It's a fair statement, yeah. It's -- might be a little  
5 shorter or longer.

6 Q. Yeah. And that's the signature you saw, correct?

7 A. On what?

8 Q. That's the signature you're aware of on the --

9 A. Passport?

10 Q. On the passport?

11 A. Yeah. Yes.

12 Q. Based upon your two decades or more of investigative  
13 experience, does that strike you as the signature of a  
14 literate individual?

15 A. I know, in the Hispanic cultures, the different nations,  
16 I do understand that they are limited for their education,  
17 yes.

18 Q. And, right before lunch, you had testified that, after  
19 the 23rd of March of 2009, you had no further encounters with  
20 Mr. Fuertes -- is that a fair statement -- until, let's say,  
21 wrapping up of the investigation on the 15th of November of  
22 2011?

23 A. Yes.

24 **MR. MONTEMARANO:** Mr. Cunningham, could I have the  
25 13d for delta exhibits?

1                   **MR. CUNNINGHAM:** If you want to use your copies, you  
2                   can.

3                   **MR. MONTEMARANO:** Oh, okay. No, no, that's fine.

4                   **MR. CUNNINGHAM:** I don't object. Just getting into  
5                   these.

6                   **MR. MONTEMARANO:** That's fine. I can do that. I  
7                   can handle my own paper. Thank you.

8                   **BY MR. MONTEMARANO:**

9                   Q. I'm going to show you some of the exhibits Mr. Cunningham  
10                  has already introduced. This will be -- this is 13b, for boy,  
11                  1. You've seen this before and testified about this; have you  
12                  not, Detective?

13                 A. Yes.

14                 Q. I invite your attention to this line right here, 61 times  
15                  15 equals 915. That's correct math; fair statement?

16                 A. Yes.

17                 Q. And the 61 represents 22 plus 20 plus 19, correct?

18                 A. Yes.

19                 Q. For the sake of discussion, if the girls were getting \$15  
20                  per customer and serviced 61 customers, that was what the \$915  
21                  would represent; is that a fair statement?

22                 A. That's correct.

23                 Q. We have much the same thing on 16 -- on 13b/2, except  
24                  it's 97 customers?

25                 A. Yes.

1 Q. And, so we're clear, there are five numbers -- no. There  
2 are six. I regret, I can't add.

3 A. Yes.

4 Q. And it was your testimony that the girls came into the  
5 jurisdiction on Mondays and left on Sundays, correct?

6 A. That's correct, yes.

7 Q. This is 13b/3.

8 A. Yes.

9 Q. This is the part of the exhibit which I am unable to  
10 focus. Technology sometimes escapes me, and this is one of  
11 those -- here we go.

12 This is the important part of the exhibit you've  
13 already testified to. Your testimony is: This column of  
14 letters represents the five days of the week in Spanish in  
15 your understanding, correct?

16 A. It represents days of the weeks. I don't know which ones  
17 are which, but it represents the days of the week.

18 Q. Okay. So it corresponds to the five days of the week --  
19 the five initials?

20 A. Again, I'm not sure which Mondays or Tuesdays or -- you  
21 know, I'm not sure, but --

22 Q. Okay.

23 A. -- that's what I know.

24 Q. But there are five numbers, correct, adding up to 96,  
25 correct?

1 A. Yes.

2 MR. MONTEMARANO: The Court's indulgence, please.

3 THE COURT: Yes.

4 BY MR. MONTEMARANO:

5 Q. And you showed us the Carlos Eduardo Ramirez Social  
6 Security number. I didn't get the number off of that, but  
7 that was taken from the possession of my client, Mr. Fuertes;  
8 is that a fair statement?

9 A. I'm sorry. Could I see the exhibit?

10 Q. I don't have the exhibit number. There is a Social  
11 Security card in the name of Carlos Eduardo --

12 A. Yes.

13 Q. -- Ramirez, not my client's name?

14 A. Yes.

15 Q. Not a photograph; just a Social Security card taken from  
16 his person; is that a fair statement?

17 A. Yes.

18 Q. But he had no other information or documents relating to  
19 Mr. Ramirez on his person when he was arrested, correct?

20 A. Mr. Ramirez, as in --

21 Q. The name on the Social Security card. That's the only  
22 thing with that name on it that he had?

23 A. That's -- yes.

24 Q. Didn't have anything in any other name except his,  
25 correct?

1 A. Yes.

2 Q. And he didn't have anything else with that name on it,  
3 correct? He had one item, correct?

4 A. He had several items or papers in his wallet, but that  
5 was the only one with that name, yes.

6 Q. Thank you. I'd like to invite your attention, if I  
7 could, to Exhibit 41. Do you recall this list of phone  
8 numbers?

9 A. Yes. I've only seen a portion of it; not all of it.

10 Q. Let me back it out a little. This one?

11 A. Yes.

12 Q. I can bring it up there so you're sure we're talking  
13 about the same thing, because, if it came up in color, it  
14 might be a little bit easier to recognize.

15 A. Yes.

16 Q. And this was taken from?

17 A. This is taken from [REDACTED] --

18 Q. Okay. Thank you.

19 A. -- upstairs bedroom.

20 Q. And you've indicated that a nickname associated with  
21 Mr. Fuertes is Flaco, correct?

22 A. Yes.

23 Q. And it would be fair: During your investigation, you  
24 came up with other people nicknamed Flaco; is that a fair  
25 statement?

1 A. No.

2 Q. Nobody else?

3 A. No.

4 Q. Well, what do we see right here? What's the name?

5 A. I see a name saying Flaco with a phone number that  
6 doesn't mean anything to me.

7 Q. So at least one other Flaco, assuming it's not the same  
8 one, because that's not a phone number that you've associated  
9 with my client, the [REDACTED] number, correct?

10 A. Right. I haven't come back with a Flaco in the Annapolis  
11 area.

12 MR. MONTEMARANO: The Court's indulgence, please.

13 THE COURT: Yes.

14 MR. MONTEMARANO: The Court's indulgence, please.

15 THE COURT: Yes.

16 BY MR. MONTEMARANO:

17 Q. I'm having trouble finding my reference in an earlier  
18 report of yours, Detective. Do you recall showing photographs  
19 to people during the course of the investigation?

20 A. Some of them, yes. Most of them.

21 Q. Just a few, right?

22 Do you recall a person other than my client being  
23 identified as having the nickname Flaco by one of the people  
24 you showed photographs to? Does that ring a bell?

25 A. It does not ring a bell at this point. Let me look over

1 my notes.

2 (Witness reviewing document.)

3 **BY MR. MONTEMARANO:**

4 Q. I'll tell you what. I'll find it, and I will ask  
5 Mr. Ruter to pose the question on my behalf at some point down  
6 the road. Thank you.

7 **THE WITNESS:** Thank you.

8 **MR. RUTER:** Your Honor?

9 **THE COURT:** Do you want to go five minutes, or do  
10 you want to start fresh?

11 **MR. RUTER:** Whichever you prefer, Your Honor.

12 **THE COURT:** I'm giving you the choice.

13 **MR. RUTER:** May I?

14 **THE COURT:** Sure.

15 **CROSS-EXAMINATION**

16 **BY MR. RUTER:**

17 Q. Good afternoon, Detective.

18 A. Good afternoon.

19 Q. Detective, you'd indicated, I think in your first day of  
20 testimony, that Mr. Ventura here was known by a different  
21 name, one of which was Pancho; is that correct?

22 A. Yes.

23 Q. And I want to ask you: Do you know, from having contact  
24 with him, whether or not he has ever referred to himself as  
25 Pancho?



1 A. No.

2 Q. Okay. It's, rather, other people suggesting to you or  
3 telling you that they have known him as Pancho; is that  
4 correct?

5 A. One of the names, yes.

6 Q. Okay. We've seen now, I think, literally thousands of  
7 business cards have been introduced in evidence, and they're a  
8 little bit different, but, at the same time, there are  
9 similarities. We all agree to that, correct?

10 A. Yes.

11 Q. Do we understand, Detective, that these business cards  
12 could be found at the Italian or, rather, the Hispanic market  
13 known as Jennifer Shop? Could you go into Jennifer Shop and  
14 actually find the business card or any other -- I should say  
15 Hispanically-associated business in the Annapolis area and  
16 find a similar business card?

17 A. In the businesses?

18 Q. Yeah.

19 A. No.

20 Q. Okay. Rather, it's people who actually hand these  
21 business cards out; is that what your investigation showed?

22 A. Yes.

23 Q. Sometimes hand to hand?

24 A. Yes.

25 Q. Sometimes knocking on people's doors in the neighborhood?

1 A. I don't recall knocking on doors. Hand to hand.

2 Q. Hand to hand.

3 A. Uh-huh.

4 Q. Would it be fair to say, then, that it might be  
5 relatively easy, if you happen to be of Hispanic descent and  
6 you happened to be in the Annapolis area, that, if one of  
7 these people had business cards on them, you're suggesting  
8 that they're probably going to put a business card in your  
9 hand; is that correct?

10 A. Correct, yes.

11 Q. If I was a European-American, I would not have the same  
12 privilege, you're telling us, to get that business card.  
13 Would they turn their back on a guy like me if I walked up and  
14 walked past them?

15 A. Yes.

16 Q. Would that be because of my age, or because of my race?  
17 Do you know?

18 A. Because of your race.

19 Q. Okay. You had told us that you had come into contact  
20 with Rebeca Dueñas Franco on September the 26th, thereabouts,  
21 of 2008, and she was prostituting herself; is that correct?

22 A. On the 26th.

23 Q. Thereabouts, of September 2008.

24 A. 2:30 in the morning, yes. Again, we didn't know that at  
25 the time.

1 Q. Okay. And do I understand that she -- was she actually  
2 arrested on that date?

3 A. No.

4 Q. Okay. You did know she was engaged in prostitution,  
5 however?

6 A. We learned later on, yes, through the investigation.

7 Q. Well, you didn't know it on that day?

8 A. We suspected it more so when we came back later in that  
9 evening of about 5:30 following up and looking at things  
10 further, yes.

11 Q. Okay. And you say that because I think you explained to  
12 the jurors that you saw the same indicia of prostitution at  
13 that location -- I think it was on [REDACTED] -- as you  
14 had at several other locations throughout the course of the  
15 investigation; is that not accurate?

16 A. I'm sorry. Can you repeat your question? I'm sorry.

17 Q. You found the same things at that location that you found  
18 at almost every other location that you've had occasion to  
19 search?

20 A. Yes.

21 Q. And you found what would appear to be indicia of  
22 prostitution on September the 26th of 2008 where Ms. Franco  
23 was located; is that correct?

24 A. Yes.

25 Q. Okay. You had indicated that you had come into contact

1 with Mr. Ventura here on September 24th of 2009. He had been  
2 arrested.

3 A. Yes.

4 Q. I want to make sure the jurors understand. He wasn't  
5 arrested because of any prostitution, was he?

6 A. No.

7 Q. He wasn't arrested because of any allegations that he had  
8 threatened somebody or that he had murdered somebody, was he?

9 A. No.

10 Q. I think Mr. Cunningham had asked you whether or not he  
11 had been Mirandized on that day; is that correct?

12 A. Yes.

13 Q. And you did read him his rights per the *Miranda* case; is  
14 that correct?

15 A. Yes.

16 Q. Is it equally as true that, throughout the course of your  
17 discussions, that Mr. Ventura, from time to time, advised you  
18 that he would not sign anything unless his lawyer was present?  
19 Is that correct?

20 A. No. He said he would not sign and he would still talk to  
21 me.

22 Q. So he never mentioned the word "lawyer" --

23 A. He did mention --

24 Q. -- in September?

25 A. He did mention "lawyer."

1 Q. In what context?

2 A. He said he would still -- he would talk to me, but he was  
3 not going to sign that unless his lawyer was present.

4 Q. Okay. That's what I thought I asked.

5 When he was arrested on that date, did you have  
6 occasion to search his vehicle?

7 A. On the 24th? No.

8 Q. Okay. Do we understand that --

9 **THE COURT:** Are you moving on to another day,  
10 Mr. Ruter?

11 **MR. RUTER:** Yes, Your Honor, we shall.

12 **THE COURT:** Okay. In that case, we will break.

13 Members of the jury, remember, please: Do not  
14 discuss the case among yourselves or with anyone else. Please  
15 be in your jury room tomorrow at about 9:25 so that we can get  
16 started at 9:30. Remember: I can't start until you're all  
17 here.

18 Thank you. Good night.

19 **MR. CUNNINGHAM:** Your Honor, may I ask one question  
20 after the jury departs before you leave the bench?

21 **THE COURT:** Yes.

22 (Jury excused.)

23 (Witness excused pending further examination.)

24 **THE COURT:** Yes?

25 **MR. CUNNINGHAM:** Your Honor, I know that, on some

1 occasions, for a matter such as you have referred to  
2 Judge Gallagher, the Government is expected to be present, if  
3 for nothing else, to call the case, and then is excused.

4 **THE COURT:** I have no objection to your going  
5 upstairs and doing that.

6 **MR. CUNNINGHAM:** Well, actually, Judge, I was only  
7 inquiring: Are we expected to do that, or is this a matter  
8 that is completely *ex parte*?

9 **THE COURT:** I think it's going to be -- I think it's  
10 going to be, in substance, *ex parte*, and I don't know what  
11 Judge Gallagher wants with respect to form, so, if one of you  
12 or all of you wish to go up there in case she wants the case  
13 formally called, the courtroom is 7B, as in boy.

14 **MR. CUNNINGHAM:** Yes, Your Honor. Thank you, Your  
15 Honor.

16 **THE COURT:** Good night. See you tomorrow.

17 **THE REPORTER:** All rise. This Honorable Court is  
18 now in recess until tomorrow morning at 9:30.

19 (Proceedings adjourned.)  
20  
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25

1 I, Martin J. Giordano, Registered Merit Reporter and Certified  
2 Realtime Reporter, certify that the foregoing is a correct  
3 transcript from the record of proceedings in the  
4 above-entitled matter.

5  
6 \_\_\_\_\_  
7 Martin J. Giordano, RMR, CRR

\_\_\_\_\_ Date

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